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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

JUL 15 2013

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Tuesday, July 9, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present. President Chiu asked for a moment of silence for the victims of the Asiana Airlines crash at the San Francisco International Airport on July 6, 2013.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Kim, seconded by Supervisor Campos, moved to approve the June 4, 2013, Board Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

130689 [Formal Policy Discussions - July 9, 2013]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisor representing District 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mr. Mayor - I have been working with many neighbors on expanding and increasing the lighting infrastructure in District 10. District 10 has many rapidly changing neighborhoods. Areas that were once completely industrial in nature have been re-zoned to permit mixed uses including a significant increase in residential density. Many residential areas lie adjacent to dark freeway overpasses or next to streets that are not accepted by the City. You saw this first hand when we opened Progress Park over a year ago. While we have seen a significant increase in residential development, the City has not always kept pace with the changing infrastructure needs of these growing neighborhoods. Lack of adequate lighting infrastructure has contributed to a number of public safety problems including: car break-ins, illegal dumping, and graffiti. Additionally, the overlapping jurisdictions of local, State, and private entities that permit and install lighting leads to inefficient, confusing, and redundant processes for neighbors and my office who are looking to make improvements. What can you commit to doing as Mayor to prioritize and speed up the permitting, funding, and installation of new lighting infrastructure in these neighborhoods? Would you support efforts by the City to install lighting improvements on property that is owned by Caltrans (on and under the freeway overpasses) or on streets that are unaccepted? (Supervisor Cohen, District 10)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced question. Supervisor Avalos, seconded by Supervisor Campos, moved to allow an eligible Supervisor the opportunity to ask a question related to a sudden or unexpected incident or occurrence raising formal, time-sensitive policy questions that members could not have anticipated prior to the posting deadline. The motion passed by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Pursuant to Administrative Code Section 2.11(3), Supervisor Kim posed the following question:

Thank you for joining us, Mr. Mayor.
ACCJC handed down their decision regarding City College of San Francisco's accreditation on Wednesday afternoon and I want to acknowledge the collective concern amongst the Board of Supervisors regarding the future of the City College of San Francisco. Since the news was announced after our noon deadline to submit questions, the Board wanted the opportunity to discuss this matter today given its timeliness and the widespread anxiety amongst our constituents. In the past several days, many of our offices have fielded calls and emails expressing deep concem over the future of our public education institution. There are currently 34,560 students enrolled at City College, with almost 20% of undergraduate students transferring to four year colleges. There are concerns about solutions including the potential downsizing of City College and the selling-off of public assets—what is your position on these potential solutions? What reassurances can you give based on your ongoing coordination with the State Chancellor about maintaining the critical scope of educational services, such as classes for students pursuing their Associate's Degree or transfer to four year college, vocational training programs and ESL classes, that this vital public education institution has provided to generations of San Franciscans?

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced question. Following public comment, this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

130453 [Memorandum of Understanding - San Francisco Sheriffs' Managers and Supervisors Association - FY2013-2014]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and San Francisco Sheriffs' Managers and Supervisors Association by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED

130454 [Memorandum of Understanding - San Francisco Deputy Sheriffs' Association - FY2013-2014]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No.1 to the 2012-2014 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED

130455 [Memorandum of Understanding - Service Employees International Union, Local 1021 - FY2013-2014]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Service Employees International Union, Local 1021, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED

130456 [Compensation for Unrepresented Employees - City and County of San Francisco - Effective July 1, 2013]

Sponsor: Mayor

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Charter, Section A8.409, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 2013.

FINALLY PASSED

130628 [Assessment Ballots for City Parcels - Renew and Expand the Central Market Community Benefit District]

Sponsor: Kim

Resolution authorizing the Mayor to cast ballots in the affirmative on behalf of the City and County of San Francisco as owner of five parcels of real property over which the Board of Supervisors has jurisdiction, where those parcels would be subject to assessment in the proposed renewed and expanded property and business improvement district known as the Central Market Community Benefit District.

ADOPTED

130659 [Setting the 2013 Budget and Legislative Analyst Services Audit Plan]

Sponsor: Cohen

Motion directing the Budget and Legislative Analyst to conduct three performance audits in 2013 and setting the priority as follows: 1) the San Francisco Fire Department's recruitment, retention, and overtime staffing; 2) the Department of Children, Youth and Their Families implementation of the Children's Fund including an evaluation of the role of the Children's Fund Citizens' Advisory Committee; and 3) the Department of Public Health's compliance with privacy and security regulations as defined by the Heath Information Technology for Economic and Clinical Health (HITECH) and Health Insurance Portability and Accountability Act (HIPAA) acts; and removing from the Budget and Legislative Analyst's audit plan the management and oversight of the former San Francisco Redevelopment Agency's assets and functions, previously approved by the Board of Supervisors.

Motion No. M13-084

APPROVED

Recommendations of the Land Use and Economic Development Committee

130272 [Zoning Map - Rezoning of 909 Tennessee Street]

Ordinance amending Zoning Map, Sheet No. ZN08, to rezone Assessor's Block No. 4108, Lot No. 036 (909 Tennessee Street) from Public to Urban Mixed Use; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1. (Planning Commission)

FINALLY PASSED

130508 [General Plan - Van Ness Area Plan - California Pacific Medical Center - Cathedral Hill Campus]

Ordinance amending the General Plan, Van Ness Area Plan, in order to facilitate the development of a high density medical center at the transit nexus of Van Ness Avenue and Geary Boulevard, and reflect various elements of this use; and adopting findings, including environmental findings, Planning Code, Section 340, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Planning Department)

FINALLY PASSED

130509 [General Plan Maps - Urban Design Element and Van Ness Area Plan - California Pacific Medical Center - Cathedral Hill Campus]

Ordinance amending the General Plan, Map 5 of the Urban Design Element, to reflect the proposed maximum plan dimensions and maximum diagonal plan dimensions of 385 feet and 466 feet, respectively, for the Cathedral Hill Campus Hospital site and 265 feet and 290 feet, respectively, for the Cathedral Hill Campus Medical Office Building site; Map 1 of the Van Ness Area Plan, to designate the sites of the proposed Cathedral Hill Campus Hospital and Cathedral Hill Campus Medical Office Building as the Van Ness Medical Use Subdistrict and increase the floor area ratio to 7.5:1 for the Cathedral Hill Campus Medical Office Building site; Map 2 of the Van Ness Area Plan, to create a 230-V height/bulk district coterminous with the Hospital site; and adopting findings, including environmental findings, Planning Code, Section 340, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Planning Department)

FINALLY PASSED

130510 [General Plan Maps - Urban Design Element - California Pacific Medical Center - St. Luke's Campus]

Ordinance amending the General Plan, Map 4 of the Urban Design Element, to increase the height limit for the California Pacific Medical Center's St. Luke's Campus (Assessor's Block No. 6575, Lot No. 001-002, Assessor's Block No. 6576, Lot No. 021, and the portion of San Jose Avenue between Cesar Chavez Street and 27th Street) to 145 feet for a portion of the St. Luke's Campus Hospital site where the hospital tower will be located, and 105 feet for the balance of the Campus; Map 5 of the Urban Design Element, to reflect the proposed maximum plan dimensions and maximum diagonal plan dimensions of 229 feet and 285 feet, respectively, for the St. Luke's Campus Hospital site and 204 feet and 228 feet, respectively, for the St. Luke's Medical Office Building site; and adopting findings, including environmental findings, Section 340, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Planning Department)

FINALLY PASSED

120357 [Planning Code - Maximum Floor Area Ratios - Establishing the Van Ness Medical Use Subdistrict Within the Van Ness Special Use District - California Pacific Medical Center: Cathedral Hill Campus]

Sponsors: Mayor; Chiu, Farrell and Campos

Ordinance amending the Planning Code, Section 124, to allow a floor area ratio of 7.5:1 for a medical office building within the Van Ness Special Use District, Medical Use Subdistrict; amending Section 243 to include the establishment of the Van Ness Medical Use Subdistrict and associated controls; and adopting findings, including environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

FINALLY PASSED

120358 [Planning Code - Maximum Permitted Floor Area Ratio - Establishing the Cesar Chavez/Valencia Streets Medical Use Special Use District - California Pacific Medical Center: St. Luke's Campus]

Sponsors: Mayor; Chiu, Farrell and Campos

Ordinance amending the Planning Code, by adding Section 124(l), to allow a floor area ratio of 2.6 to 1 in the Cesar Chavez/Valencia Streets Medical Use Special Use District; adding Section 249.68 to establish the Cesar Chavez/Valencia Streets Medical Use Special Use District; and adopting findings, including environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

FINALLY PASSED

120359 [Planning Code, Zoning Map - California Pacific Medical Center: Cathedral Hill Campus]

Sponsors: Mayor; Chiu, Farrell and Campos

Ordinance amending the Planning Code, Zoning Map, Sectional Maps SU02 and HT02, to reflect the creation of the Van Ness Medical Use Subdistrict (Assessor's Block No. 0695, Lot Nos. 005 and 006, and Assessor's Block No. 0694, Lot Nos. 005, 006, 007, 008, 009, 009A, and 010); to allow an increase in height at Assessor's Block No. 0695, Lot Nos. 005 and 006, in order to allow for a new seismically safe hospital; and adopting findings, including environmental findings, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

FINALLY PASSED

120360 [Planning Code, Zoning Map - California Pacific Medical Center: St. Luke's Campus]

Sponsors: Mayor; Chiu, Farrell and Campos

Ordinance amending the Planning Code, Zoning Map, Sectional Maps SU07 and HT07, to reflect the creation of the Cesar Chavez/Valencia Streets Medical Use Special Use District at the California Pacific Medical Center's St. Luke's Campus (Assessor's Block No. 6575,Lot Nos. 001 and 002, Assessor's Block No. 6576, Lot No. 021, and a portion of San Jose Avenue between Cesar Chavez Street and 27th Street); to allow increased heights in the western portion of the California Pacific Medical Center's St. Luke's Campus (all of Assessor's Block No. 6575, Assessor's Block No. 6576, Lot No. 21, and a portion of San Jose Avenue between Cesar Chavez Street and 27th Street) in order to allow for a new seismically safe replacement hospital; and adopting findings, including environmental findings, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

FINALLY PASSED

120361 [Summary Street Vacation - Portion of San Jose Avenue Between 27th Street and Cesar Chavez Street - California Pacific Medical Center: St. Luke's Campus]

Sponsors: Mayor; Chiu, Farrell and Campos

Ordinance ordering the summary street vacation of a portion of San Jose Avenue, between 27th Street and Cesar Chavez Street, as shown on Department of Public Works SUR Map No. 2012-001, dated May 14, 2012; rescinding an existing encroachment permit; making findings pursuant to the California Streets and Highways Code, Chapter 4, Sections 8330 et seq; adopting environmental findings pursuant to the California Environmental Quality Act, and findings that the actions contemplated herein are consistent with the General Plan and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection with this Ordinance.

FINALLY PASSED

120364 [Changing the Official Sidewalk Widths - Portions of Post Street, Geary Boulevard, Geary Street, Cedar Street, and Van Ness Avenue - California Pacific Medical Center: Cathedral Hill Campus]

Sponsors: Mayor; Chiu, Farrell and Campos

Ordinance amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," by adding thereto Section 1596, to change the official sidewalk width of the southerly side of Post Street, starting at the southeast intersection with Franklin Street, continuing east to the southwest intersection with Van Ness Avenue; the northerly side of Geary Boulevard, starting at the northeast intersection with Franklin Street, continuing east to the northwest intersection with Van Ness Avenue; the northerly side of Geary Street, starting at the northeast intersection of Van Ness Avenue, continuing east 325 feet; both sides of Cedar Street, starting at the intersection with Van Ness Avenue, continuing east to the intersection with Polk Street; the westerly side of Van Ness Avenue, starting at the intersection with Geary Boulevard, continuing north to the intersection with Post Street; and the easterly side of Van Ness Avenue, starting at the intersection with Geary Street, continuing north to the intersection with Cedar Street; making environmental findings and findings pursuant to the General Plan and Planning Code, Section 101.1; and requiring relocation, modification, or both, of facilities affected by the sidewalk width change.

FINALLY PASSED

120365 [Changing the Official Sidewalk Widths - Portions of Cesar Chavez Street, Valencia Street and 27th Street - California Pacific Medical Center: St. Luke's Campus]

Sponsors: Mayor; Chiu, Farrell and Campos

Ordinance amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," by adding thereto Section 1591, to change the official sidewalk width of the southerly side of Cesar Chavez Street, starting at the southeast intersection with Guerrero Street, continuing east to the southwest intersection with Valencia Street; the westerly side of Valencia Street, starting at the southwest intersection with Cesar Chavez Street, continuing south to the northwest intersection with Duncan Street; and the northern portion of 27th Street, starting at the intersection of 27th Street and San Jose Avenue, continuing west for 44.24 feet; making environmental findings, and findings pursuant to the General Plan and Planning Code, Section 101.1; and requiring relocation, modification, or both, of facilities affected by the sidewalk width change.

FINALLY PASSED

120366 [Development Agreement - Sutter West Bay Hospitals - California Pacific Medical Center]

Sponsors: Mayor; Chiu, Farrell and Campos

Ordinance approving a Development Agreement between the City and County of San Francisco and Sutter West Bay Hospitals, for certain real property associated with the California Pacific Medical Center Long Range Development Plan, located at various locations in the City and County of San Francisco and generally referred to as the St. Luke's Campus, Cathedral Hill (Van Ness and Geary) Campus, Davies Campus, Pacific Campus, and California Campus; making findings under the California Environmental Quality Act, findings of conformity with the General Plan and the eight priority policies of Planning Code, Section 101.1(b); and waiving certain provisions of Administrative Code, Chapter 56, and ratifying certain actions taken in connection therewith. (Economic Impact)

FINALLY PASSED

130624 [Resolution of Intention - Expenditure Plan, Revenue Bond - 1239 Turk Street (Rosa Parks II Senior Housing) - Not to Exceed $30,000,000]

Sponsor: Breed

Resolution declaring the intent of the City and County of San Francisco to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $30,000,000 for 1239 Turk Street (Rosa Parks II Senior Housing); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $30,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

ADOPTED

Recommendation of the Rules Committee

130641 [Appointments, Citizen's Advisory Committee for the Central Market Street and Tenderloin Area - Peter Masiak, Steven Suzuki, Brad Paul, Julian Dash, Jeff Kositsky, Antoinetta III Stadlman, and Steven Tennis]

Motion appointing Steven Suzuki, Brad Paul (residency requirement waived), Antoinetta III Stadlman, terms ending August 2, 2015, and Peter Masiak, Julian Dash, Jeff Kositsky, Steven Tennis, terms ending August 2, 2017, to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area. (Clerk of the Board)

Motion No. M13-085

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the Consent Agenda

Supervisor Wiener requested that File No. 130458 be severed so that it may be considered separately.

Recommendations of the Land Use and Economic Development

130458 [Redevelopment Plan Amendment - Mission Bay South]

Sponsor: Mayor

Ordinance approving an amendment to the Mission Bay South Redevelopment Plan, which modifies the land use designation for certain property to add residential as a permitted use and to increase the permitted residential density in the Plan Area, but does not increase the allocation of tax increment under a pre-existing enforceable obligation; making environmental findings under the California Environmental Quality Act; and making findings pursuant to the General Plan and Planning Code, Section 101.1(b).

Privilege of the floor was granted to Jon Givner (City Attorney's Office) who responded to questions raised throughout the discussion.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Avalos requested that File No. 130658 be severed so that it may be considered separately.

130658 [Restated Option Agreement - Sale of Surplus Real Property in Mountain View to MV Urban Village Homes, LLC - $8,100,000]

Sponsor: Mayor

Resolution approving a Restated Option Agreement for the sale of surplus lands under the jurisdiction of the San Francisco Public Utilities Commission (SFPUC) located in Mountain View, Santa Clara County, California near the intersection of Whisman and Tyrella Avenues, to MV Urban Village Homes, LLC, a California limited liability company (Optionee), a joint venture between KMJ Urban Communities, LLC (KMJ), and SummerHill Homes, LLC (SummerHill) in the amount of $8,100,000, and reserving an easement to the SFPUC; authorizing the Director of Property or the SFPUC's General Manager to execute documents, make modifications, and take actions in furtherance of this Resolution; and adopting findings that the transactions contemplated by the Restated Option Agreement are consistent with the City's General Plan and with the Eight Priority Policies of City Planning Code, Section 101.1.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Land Use and Economic Development Committee

121019 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice Requirements]

Sponsor: Wiener

Ordinance amending Administrative Code, Chapter 31, to reflect revisions in the California Environmental Quality Act and to update and clarify certain procedures provided for in Chapter 31, including without limitation: codifying procedures for appeals of exemptions and negative declarations; revising noticing procedures for environmental impact reports and negative declarations for plan area projects exceeding 20 acres; expanding noticing requirements for certain exempt projects; clarifying existing noticing requirements for exempt projects; and making environmental findings.

Supervisor Wiener, seconded by Supervisor Kim, moved that this Ordinance be CONTINUED ON FIRST READING to July 16, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130248 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice Requirements]

Sponsors: Kim; Campos, Avalos, Mar and Yee

Ordinance amending Administrative Code, Chapter 31, to provide for appeals under the California Environmental Quality Act to the Board of Supervisors of environmental impact reports, negative declarations, exemption determinations, and determinations on modified projects; to clarify and update existing Chapter 31 procedures, including without limitation: to provide for the Planning Department or Planning Commission to approve all exemption determinations; to require the Planning Department to establish an electronic notification system; to expand noticing of exempt projects; to require new noticing when filing notices of exemption and notices of determination; to revise noticing of negative declarations and environmental impact reports for plans of 20 acres or more; to provide an expanded role for the Historic Preservation Commission; and making environmental findings.

Supervisor Wiener, seconded by Supervisor Kim, moved that this Ordinance be CONTINUED ON FIRST READING to July 16, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130038 [Appropriating $1,500,000 for the San Francisco Unified School District - FY2012-2013]

Sponsors: Mayor; Mar

Ordinance appropriating $1,500,000 from the Rainy Day Fund for the San Francisco Unified School District for FY2012-2013.
(Fiscal Impact)

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130535 [Proposed Budget and Annual Appropriation Ordinance - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Proposed Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of May 31, 2013, for the FYs ending June 30, 2014, and June 30, 2015.

Supervisor Mar, seconded by Supervisor Breed, moved that this Ordinance be CONTINUED ON FIRST READING to July 16, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130536 [Annual Salary Ordinance - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2014, and June 30, 2015, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

Supervisor Mar, seconded by Supervisor Breed, moved that this Ordinance be CONTINUED ON FIRST READING to July 16, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130555 [Treasure Island Development Authority Budget - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Resolution approving the Budget of the Treasure Island Development Authority for FYs 2013-2014 and 2014-2015.

Supervisor Mar, seconded by Supervisor Breed, moved that this Resolution be CONTINUED to July 16, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130556 [Office of Community Investment and Infrastructure Budget - FY2013-2014 - Not to Exceed $58,600,000]

Sponsor: Mayor

Resolution approving the FY2013-2014 Budget of the Office of Community Investment and Infrastructure (OCII), operating as the Successor Agency to the San Francisco Redevelopment Agency; and approving the Issuance by OCII of Bonds in an aggregate principal amount not to exceed $58,600,000 for the purpose of financing a portion of enforceable obligations.

Supervisor Mar, seconded by Supervisor Breed, moved that this Resolution be CONTINUED to July 16, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130557 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]

Sponsor: Mayor

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees for the following services: Budget Analyst (Board of Supervisors); assembly of vote-by-mail envelopes (Department of Elections); LGBT Anti-Violence Education and Outreach Program (District Attorney); central shops security, citywide custodial services (excluding City Hall), convention facilities management, and security services (General Services Agency-City Administrator); security services-1680 Mission Street, and security services-30 Van Ness Avenue (General Services Agency-Public Works); mainframe system support (General Services Agency-Technology); security services (Human Services Agency); and food services for jail inmates (Sheriff).

Supervisor Mar, seconded by Supervisor Breed, moved that this Resolution be CONTINUED to July 16, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130613 [Appropriation and De-Appropriation - $720,626 to Sheriff for Overtime - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $720,626 to overtime and de-appropriating $720,626 in permanent salaries in the Sheriff Department's work orders/overhead budget in order to support the Department's projected increases in overtime as required per Ordinance No. 194-11, this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval for $720,626 of this request.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130614 [Appropriation and De-Appropriation - $446,354 to Fire Department for Overtime - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $446,354 to overtime and de-appropriating $446,354 consisting of $359,227 in permanent salaries and $87,127 in fringe benefits in the Fire Department's operating budget in order to support the Department's projected increases in overtime as required per Ordinance No. 194-11.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130615 [Accept and Expend Grant - National Science Foundation and Amendment to the Annual Salary Ordinance, FY2012-2013 - $257,744]

Sponsor: Mayor

Ordinance authorizing the Department of Technology to retroactively accept and expend a grant in the amount of $257,744 from the National Science Foundation for Intergovernmental Personnel Act assignment and amending Ordinance No. 165-12 (Annual Salary Ordinance, FY2012-2013) to reflect the addition of one 1381 Special Assistant XXII position at the Department of Technology.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee

130583 [Memorandum of Understanding - Service Employees International Union, Local 1021, Staff & Per Diem Nurses - FY2013-2014]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, Staff & Per Diem Nurses, by implementing specified terms and conditions of employment for FY2013-2014.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130586 [Administrative Code - Film Rebate Program]

Sponsors: Farrell; Campos

Ordinance amending the Administrative Code to allow the Director of Property of the Department of Real Estate, in consultation with the Executive Director of the Film Commission, to lease property and sublease such property to film companies for film-related activities; to expand the production costs eligible for the Film Rebate Program to include rent payments for such property; and making environmental findings.

Supervisor Campos requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130592 [Issuance of Tax-Exempt Obligations - Town School for Boys - Not to Exceed $19,000,000]

Sponsor: Farrell

Resolution approving, in accordance with Section 147(f) of the Internal Revenue Code, the issuance of one or more tax-exempt revenue obligations by the California Statewide Communities Development Authority in an aggregate principal amount not to exceed $19,000,000 to finance various capital facilities owned or operated by the Town School for Boys as heard on May 30, 2013, at the Office of Public Finance.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

130263 [Planning Code - Castro Street Neighborhood Commercial District Use Size Limits]

Sponsors: Wiener; Campos

Ordinance amending the Planning Code, Sections 121.2 and 715.1, the Castro Street Neighborhood Commercial District controls, to allow a neighborhood-serving nonprofit institution to exceed the use size limits with a Conditional Use Authorization; making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

Supervisor Campos requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130369 [Building, Health, Public Works Codes - Soil and/or Groundwater Testing Requirements]

Sponsor: Mayor

Ordinance amending the Building and Health Codes to expand the boundaries and types of projects for which soil testing is required and to require testing of groundwater under specified circumstances; amending the Public Works Code to eliminate soil testing provisions; renumbering code sections in the Health Code; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Neighborhood Services and Safety Committee

130300 [Administrative Code - Child Care Centers for City and City-Funded Projects; Feasibility Studies]

Sponsors: Yee; Mar

Ordinance amending the Administrative Code to transfer responsibility for Child Care Feasibility Studies from the Department of Children, Youth and Their Families to the Office of Early Care and Education in the Human Services Agency, and the Child Care Facilities Interagency Committee; and making environmental findings.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130477 [Liquor License - 10-16 California Street]

Resolution determining that the issuance of Type 48 on-sale general public premises license to Dennis Leary for Alcyone, LLC, dba Café Terminus, located at 10-16 California Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

130225 [Administrative Code - Bayview Hunters Point Citizens Advisory Committee]

Sponsors: Cohen; Campos

Ordinance amending the Administrative Code to establish the Bayview Hunters Point Citizens Advisory Committee to provide policy advice to the City and County of San Francisco on planning and land use matters for Zone 2 of the Bayview Hunters Point Redevelopment Project Area.

Supervisor Campos requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130413 [Municipal Elections Code - Publication of Legal Text of Proposed Measures]

Sponsors: Chiu; Campos

Ordinance amending the Municipal Elections Code to specify that the Voter Information Pamphlet will include a portion of the legal text of any initiative ordinance, declaration of policy or bond measure that exceeds 100 pages.

Supervisor Campos requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130481 [Charter Amendment - Retiree Health Care Trust Fund]

Sponsors: Farrell, Chiu, Wiener, Tang, Yee, Breed and Cohen

Charter Amendment (Second Draft) to amend Charter, Sections 12.204 and A8.432, to limit Retiree Health Care Trust Fund disbursements to defray participating employer retiree health care costs until employer sub-trusts are fully funded; allow for disbursements from the City's sub-trust if the City's retiree health care costs are greater than ten percent (10%) of its total payroll costs even if the City's sub-trust is not fully funded; permit modifications to these disbursement guidelines if recommended by the Controller after consultation with the City's Governmental Accounting Standards Board actuary, and approved by the Mayor, two-thirds of the Board of Supervisors, and the Retiree Health Care Trust Fund Board; permit a participating employer to adopt disbursement guidelines if approved by a two-thirds vote of that participating employer's governing board; and make the Controller, the City Treasurer, and the Executive Director of the San Francisco Employees' Retirement System, or their designees, members of the Retiree Health Care Trust Fund Board.

Supervisors Wiener, Tang, Yee, Breed, and Cohen requested to be added as co-sponsors.

Supervisor Farrell, seconded by Supervisor Breed, moved that this Charter Amendment be CONTINUED to July 16, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Mar Excused from Voting

Supervisor Campos, seconded by Supervisor Kim, moved that Supervisor Mar be excused from voting on File No. 130662. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Excused: 1 - Mar

130662 [Reappointment, Association of Bay Area Governments Executive Board - Supervisor Eric Mar]

Motion reappointing Supervisor Eric Mar to the Association of Bay Area Governments Executive Board, for a term ending June 30, 2015. (Clerk of the Board)

Motion No. M13-086

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Excused: 1 - Mar

Supervisor Kim Excused from Voting

Supervisor Breed, seconded by Supervisor Campos, moved that Supervisor Kim be excused from voting on File No. 130663. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Excused: 1 - Kim

130663 [Appointment, Association of Bay Area Governments Executive Board - Supervisor Jane Kim]

Motion appointing Supervisor Jane Kim to the Association of Bay Area Governments Executive Board, for a term ending June 30, 2015. (Clerk of the Board)

Motion No. M13-087

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Excused: 1 - Kim

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Breed, seconded by Supervisor Tang, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu introduced, welcomed, and presented a Proclamation to Lou Giraudo, Chairman of Boudin Bakery, Pabst Brewing, Ascentia Wine Estates, and Milton's Baking, in recognition of his accomplishments, community support, and his instrumental role in mediating California Pacific Medical Center negotiations. Supervisors Farrell and Campos shared in this commendation.

Supervisor Chiu introduced, welcomed, and presented a Proclamation to the Recreation and Park Department, on the occasion of National Park and Recreation Month, in recognition of their accomplishments and participation with teachers in the Youth Stewardship Program. Phil Ginsburg, General Manager (Recreation and Park Department), Kimberley Kiefer, and Kay Kermin shared in this commendation.

Supervisor Breed introduced, welcomed, and presented a Certificate of Honor to Officer Matthew Lobre of the San Francisco Police Department in recognition of his heroic efforts in saving the life of an elderly citizen in a residential fire.

Supervisor Tang introduced, welcomed, and presented a Certificate of Honor to Assistant Superintendant David Wong of the Francis Scott Key Elementary School in recognition of his continued dedication to improving the education of San Franciscan students on the occasion of his promotion. Chris Armentrout, Director of Policy and Planning (San Francisco Unified School District), Diane Lau-Yee, and Suzy Loftus shared in this commendation.

Supervisor Tang introduced, welcomed, and presented a Certificate of Honor to Principal Beverly Devries of the Lawton Alternative Elementary School in recognition of her years of service as a teacher, mentor, role model, and community leader on the occasion of her retirement. Chris Armentrout, Director of Policy and Planning (San Francisco Unified School District) shared in this commendation.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Commander John Joe Garrity in recognition of his years of service on the occasion of his promotion. Police Chief Suhr shared in this commendation.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Dan Hountalas in celebration of the occasion of the 150th anniversary of the Cliff House.

SPECIAL ORDER 3:00 P.M.

130664 [Appeal of the Historic Preservation Commission's Decision on a Major Permit to Alter - 706 Mission Street]

Hearing of persons interested in or objecting to the Historic Preservation Commission's decision, dated May 15, 2013, approving a Major Permit to Alter for an interior and exterior rehabilitation, as well as seismic upgrade of the Aronson Building and new construction of a 47-story, 550'-tall tower with up to 215 residential units and a museum (the future home of The Mexican Museum) adjacent to Aronson Building and located partially within the new Montgomery-Mission-Second Street Conservation District. The project would also reconfigure portions of the existing Jessie Square Garage to increase the number of parking spaces from 442 spaces to 470 spaces, add loading and service vehicle spaces, and would allocate up to 215 parking spaces within the garage to serve the proposed residential uses for the property located at 706 Mission Street (Assessor's Block No. 3706, Lot Nos. 093, 275, and portions of Lot No. 277), within the C-3-R (Downtown Office) District and the 400-I Height and Bulk District. (District 6) (Appellants: Thomas N. Lippe on behalf of 765 Market Street Residential Owner's Association, Friends of Yerba Buena, Paul Sedway, Ron Wornick, Matthew Schoenberg, Joe Fang, and Margaret Collins) (Filed June 13, 2013).

Supervisor Kim, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED to July 23, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

The President CONTINUED the Hearing open to July 23, 2013.

130665 [Affirming Approval of a Major Permit to Alter - 706 Mission Street]

Motion affirming the approval by the Historic Preservation Commission of a Major Permit to Alter to allow the interior and exterior rehabilitation of the Aronson Building at 706 Mission Street and related new construction.

Supervisor Kim, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to July 23, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130666 [Reversing Approval of a Major Permit to Alter - 706 Mission Street]

Motion reversing the approval by the Historic Preservation Commission of a Major Permit to Alter to allow the interior and exterior rehabilitation of the Aronson Building at 706 Mission Street and related new construction.

Supervisor Kim, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to July 23, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130667 [Preparation of Findings to Reverse Approval of a Major Permit to Alter - 706 Mission Street]

Motion directing the Clerk of the Board to prepare findings to reverse the approval by the Historic Preservation Commission of a Major Permit to Alter to allow the interior and exterior rehabilitation of the Aronson Building at 706 Mission Street and related new construction.

Supervisor Kim, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to July 23, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Peter Warfield; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Ace Washington; expressed various concerns relating to a state of emergency for the black population in San Francisco.
Randall Brubaker; expressed various concerns relating to utility undergrounding task force.
John D'donna; expressed various concerns.
Ryan Sang; expressed various concerns related to mental health.
Douglas Yepp; expressed various concerns.
Male Speaker; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130680 [Aging and Disability Resource Day - June 28, 2013]
Sponsors: Avalos; Campos and Mar
Resolution commending the Aging and Disability Resource Center and declaring June 28, 2013, Aging and Disability Resource Center Day in the City and County of San Francisco.

ADOPTED

130682 [Cliff House Day - July 12, 2013]
Sponsors: Mar; Yee
Resolution commending Cliff House on its 150th Anniversary and declaring July 12, 2013, as Cliff House Day in the City and County of San Francisco.

ADOPTED

130579 [Final Map 7279 - 1285 Sutter Street]
Motion approving Final Map 7279, a Four Lot Airspace Subdivision, 107 Residential Unit, Four Commercial Unit, and a Mixed-Use Condominium Project, located at 1285 Sutter Street being a subdivision of Assessor's Block No. 0691, Lot No. 008, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-088

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Farrell requested that File No. 130681 be severed so that it may be considered separately.

130681 [Marina Yacht Harbor Reopening]
Sponsor: Farrell
Resolution recognizing the grand reopening of the Marina Yacht Harbor and commending Recreation and Parks, the California Department of Boating and Waterways, San Francisco Marina Harbor Association, St. Francis Yacht Club, Golden Gate Yacht Club, and the entire project team, for their hard work and commitment to San Francisco's parks and its residents.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130661 [Police Code - Aerial Signs and Advertising]

Ordinance amending the Police Code to prohibit the use of aircraft, self-propelled, or buoyant objects to display any sign or advertising device in the airspace over the 34th America's Cup course area; and making environmental findings. (Department of Economic and Workforce Development)

06/19/13; RECEIVED FROM DEPARTMENT.

07/09/13; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 8/6/2013.

PROPOSED RESOLUTIONS

130634 [Settlement of Administrative Enforcement Action - $51,000]

Resolution approving the settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of $51,000. (Public Utilities Commission)

06/21/13; RECEIVED FROM DEPARTMENT.

07/09/13; RECEIVED AND ASSIGNED to Rules Committee.

130651 [Memorandum of Unrecorded Grant Agreement - Buena Vista Park Project]

Resolution authorizing the Director of Real Estate to record a Memorandum of Unrecorded Grant Agreement against Assessor's Block No. 2601, Lot No. 001, for the Buena Vista Park Project, pursuant to a Land and Water Conservation Fund Grant Agreement. (Recreation and Park Department)

06/17/13; RECEIVED FROM DEPARTMENT.

07/09/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130670 [Special Assessment of Liens for Assessment of Cost]

Resolution confirming report of delinquent charges for code enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Building Code, Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, Section 108A, and Section 110A - Tables 1A-K and 1A-G, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of Costs thereof having accrued pursuant to Code Violations referenced above. (Building Inspection Department)

06/19/13; RECEIVED FROM DEPARTMENT.

07/09/13; ASSIGNED to Board of Supervisors.

130688 [Agreement - Golden Gate Petroleum - Not to Exceed $94,000,000]

Resolution authorizing the Purchaser and Director of Office of Contract Administration to execute an agreement with Golden Gate Petroleum for diesel, biodiesel, and gasoline fuel, for an amount not to exceed $94,000,000 for the term of September 1, 2013, through August 31, 2016, with two one-year options to extend for a total of five years, pursuant to Charter Section 9.118(b). (Office of Contract Administration)

06/26/13; RECEIVED FROM DEPARTMENT.

07/09/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

In Memoriam

Ye Mengyuan and Wang Linjia - Supervisor Chiu
Vernon O'Gilvie, Jr. - Supervisor Breed
Former Supervisor Willie B. Kennedy - Supervisor Cohen
Joseph Fera - Supervisor Wiener

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:01 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

F
590
#69
7/16/13

Tuesday, July 16, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

GOVERNMENT
DOCUMENTS DEPT
JUL 19 2013
SAN FRANCISCO
PUBLIC LIBRARY

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:12 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of June 11, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

130038 [Appropriating $1,500,000 for the San Francisco Unified School District - FY2012-2013]

Sponsors: Mayor; Mar

Ordinance appropriating $1,500,000 from the Rainy Day Fund for the San Francisco Unified School District for FY2012-2013.
(Fiscal Impact)

FINALLY PASSED

130613 [Appropriation and De-Appropriation - $720,626 to Sheriff for Overtime - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $720,626 to overtime and de-appropriating $720,626 in permanent salaries in the Sheriff Department's work orders/overhead budget in order to support the Department's projected increases in overtime as required per Ordinance No. 194-11, this Ordinance requires a two-thirds vote of all members of the Board of Supervisors for approval for $720,626 of this request.

FINALLY PASSED

130614 [Appropriation and De-Appropriation - $446,354 to Fire Department for Overtime - FY2012-2013]

Sponsor: Mayor

Ordinance appropriating $446,354 to overtime and de-appropriating $446,354 consisting of $359,227 in permanent salaries and $87,127 in fringe benefits in the Fire Department's operating budget in order to support the Department's projected increases in overtime as required per Ordinance No. 194-11.

FINALLY PASSED

130615 [Accept and Expend Grant - National Science Foundation and Amendment to the Annual Salary Ordinance, FY2012-2013 - $257,744]

Sponsor: Mayor

Ordinance authorizing the Department of Technology to retroactively accept and expend a grant in the amount of $257,744 from the National Science Foundation for Intergovernmental Personnel Act assignment and amending Ordinance No. 165-12 (Annual Salary Ordinance, FY2012-2013) to reflect the addition of one 1381 Special Assistant XXII position at the Department of Technology.

FINALLY PASSED

Recommendations of the Government Audit and Oversight Committee

130583 [Memorandum of Understanding - Service Employees International Union, Local 1021, Staff & Per Diem Nurses - FY2013-2014]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, Staff & Per Diem Nurses, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED

130586 [Administrative Code - Film Rebate Program]

Sponsors: Farrell; Campos

Ordinance amending the Administrative Code to allow the Director of Property of the Department of Real Estate, in consultation with the Executive Director of the Film Commission, to lease property and sublease such property to film companies for film-related activities; to expand the production costs eligible for the Film Rebate Program to include rent payments for such property; and making environmental findings.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

130263 [Planning Code - Castro Street Neighborhood Commercial District Use Size Limits]

Sponsors: Wiener; Campos

Ordinance amending the Planning Code, Sections 121.2 and 715.1, the Castro Street Neighborhood Commercial District controls, to allow a neighborhood-serving nonprofit institution to exceed the use size limits with a Conditional Use Authorization; making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

FINALLY PASSED

130369 [Building, Health, Public Works Codes - Soil and/or Groundwater Testing Requirements]

Sponsor: Mayor

Ordinance amending the Building and Health Codes to expand the boundaries and types of projects for which soil testing is required and to require testing of groundwater under specified circumstances; amending the Public Works Code to eliminate soil testing provisions; renumbering code sections in the Health Code; and making environmental findings.

FINALLY PASSED

Recommendation of the Neighborhood Services and Safety Committee

130300 [Administrative Code - Child Care Centers for City and City-Funded Projects; Feasibility Studies]

Sponsors: Yee; Mar

Ordinance amending the Administrative Code to transfer responsibility for Child Care Feasibility Studies from the Department of Children, Youth and Their Families to the Office of Early Care and Education in the Human Services Agency, and the Child Care Facilities Interagency Committee; and making environmental findings.

FINALLY PASSED

Recommendations of the Rules Committee

130225 [Administrative Code - Bayview Hunters Point Citizens Advisory Committee]

Sponsors: Cohen; Campos

Ordinance amending the Administrative Code to establish the Bayview Hunters Point Citizens Advisory Committee to provide policy advice to the City and County of San Francisco on planning and land use matters for Zone 2 of the Bayview Hunters Point Redevelopment Project Area.

FINALLY PASSED

130413 [Municipal Elections Code - Publication of Legal Text of Proposed Measures]

Sponsors: Chiu; Campos

Ordinance amending the Municipal Elections Code to specify that the Voter Information Pamphlet will include a portion of the legal text of any initiative ordinance, declaration of policy or bond measure that exceeds 100 pages.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

130535 [Proposed Budget and Annual Appropriation Ordinance - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Proposed Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of July 11, 2013, for the FYs ending June 30, 2014, and June 30, 2015.
(Fiscal Impact)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130536 [Annual Salary Ordinance - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2014, and June 30, 2015, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130555 [Treasure Island Development Authority Budget - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Resolution approving the Budget of the Treasure Island Development Authority for FYs 2013-2014 and 2014-2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130556 [Office of Community Investment and Infrastructure Budget - FY2013-2014 - Not to Exceed $58,600,000]

Sponsor: Mayor

Resolution approving the FY2013-2014 Budget of the Office of Community Investment and Infrastructure (OCII), operating as the Successor Agency to the San Francisco Redevelopment Agency; and approving the Issuance by OCII of Bonds in an aggregate principal amount not to exceed $58,600,000 for the purpose of financing a portion of enforceable obligations.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130557 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved]

Sponsor: Mayor

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees for the following services: Budget Analyst (Board of Supervisors); assembly of vote-by-mail envelopes (Department of Elections); LGBT Anti-Violence Education and Outreach Program (District Attorney); central shops security, citywide custodial services (excluding City Hall), convention facilities management, and security services (General Services Agency-City Administrator); security services-1680 Mission Street, and security services-30 Van Ness Avenue (General Services Agency-Public Works); mainframe system support (General Services Agency-Technology); security services (Human Services Agency); and food services for jail inmates (Sheriff).

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

From the Land Use and Economic Development Committee Without Recommendation

121019 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice Requirements]

Sponsors: Wiener; Chiu, Kim, Cohen and Mar

Ordinance amending Administrative Code, Chapter 31, to reflect revisions in the California Environmental Quality Act and to update and clarify certain procedures provided for in Chapter 31, including without limitation: codifying procedures for appeals of exemptions and negative declarations; revising noticing procedures for environmental impact reports and negative declarations for plan area projects exceeding 20 acres; expanding noticing requirements for certain exempt projects; clarifying existing noticing requirements for exempt projects; and making environmental findings.

Privilege of the floor was granted to Jon Givner (City Attorney's Office), who responded to questions raised throughout the discussion.

Supervisor Chiu, seconded by Supervisor Kim, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisors Chiu, Kim, Cohen, and Mar requested to be added as co-sponsors.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130248 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice Requirements]

Sponsors: Kim; Campos, Avalos, Mar and Yee

Ordinance amending Administrative Code, Chapter 31, to provide for appeals under the California Environmental Quality Act to the Board of Supervisors of environmental impact reports, negative declarations, exemption determinations, and determinations on modified projects; to clarify and update existing Chapter 31 procedures, including without limitation: to provide for the Planning Department or Planning Commission to approve all exemption determinations; to require the Planning Department to establish an electronic notification system; to expand noticing of exempt projects; to require new noticing when filing notices of exemption and notices of determination; to revise noticing of negative declarations and environmental impact reports for plans of 20 acres or more; to provide an expanded role for the Historic Preservation Commission; and making environmental findings.

Supervisor Kim, seconded by Supervisor Cohen, moved that this Ordinance be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Rules Committee

130481 [Charter Amendment - Retiree Health Care Trust Fund]

Sponsors: Farrell; Chiu, Wiener, Tang, Yee, Breed, Cohen, Campos and Mar

Charter Amendment (Second Draft) to amend Charter, Sections 12.204 and A8.432, to limit Retiree Health Care Trust Fund disbursements to defray participating employer retiree health care costs until employer sub-trusts are fully funded; allow for disbursements from the City's sub-trust if the City's retiree health care costs are greater than ten percent (10%) of its total payroll costs even if the City's sub-trust is not fully funded; permit modifications to these disbursement guidelines if recommended by the Controller after consultation with the City's Governmental Accounting Standards Board actuary, and approved by the Mayor, two-thirds of the Board of Supervisors, and the Retiree Health Care Trust Fund Board; permit a participating employer to adopt disbursement guidelines if approved by a two-thirds vote of that participating employer's governing board; and make the Controller, the City Treasurer, and the Executive Director of the San Francisco Employees' Retirement System, or their designees, members of the Retiree Health Care Trust Fund Board.

Supervisors Campos and Mar requested to be added as co-sponsors.

ORDERED SUBMITTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130537 [Lease and Management Agreement - Botanical Garden Society - Waiving Fees - Botanical Garden at Strybing Arboretum in Golden Gate Park]

Sponsor: Mayor

Ordinance approving and authorizing a Lease and Management Agreement between the City and the San Francisco Botanical Garden Society for the San Francisco Botanical Garden at Strybing Arboretum in Golden Gate Park, with an initial term of 10 years with two 10-year extension options; waiving the non-resident admission fee in Park Code, Section 12.46(d) for certain persons and entities as set forth in the Lease and Management Agreement; ratifying prior acts in connection with this Ordinance; and making environmental findings.
(Fiscal Impact)
(Supervisor Avalos dissented in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 3 - Avalos, Campos, Mar

130538 [Administrative Code - Special Funds for Cultural, Arts, and Publicity Programs]

Sponsor: Mayor

Ordinance amending the Administrative Code to establish the Arts Commission Cultural Centers Fund and the City Administrator Grants for the Arts Fund; clarify provisions of the Convention Facilities Fund, War Memorial Special Fund, and Cultural Equity Endowment Fund; and conform other provisions of the Code to the new funding structure.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130539 [Administrative Code - Library Fines and Fees]

Sponsor: Mayor

Ordinance amending the Administrative Code to reduce video and digital video disc fees and to increase fees for scanning of photographs at higher resolutions and reproduction of photographs for commercial purposes.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130540 [Administrative Code - Surety Bonds and Bid Securities]

Sponsor: Mayor

Ordinance amending the Administrative Code to authorize the Controller to delegate to the Risk Manager authority to make certain decisions regarding the amount of surety bonds and the sufficiency and qualifications of sureties.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130541 [Administrative, Business and Tax Regulation Codes - Controller's Reports and Cash Reserve Fund]

Sponsor: Mayor

Ordinance amending the Administrative, Business and Tax Regulation Codes to modify when the Controller is required to issue various reports and conduct various program audits and repealing obsolete provisions regarding the cash reserve fund.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130542 [Administrative Code - Public Administrator/Public Guardian Representative Payee Fee]

Sponsor: Mayor

Ordinance amending the Administrative Code to increase the monthly fee for representative payee services to $39 dollars per month; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130543 [Administrative Code - Medical Examiner's Fees for Copies of Documents and Certain Services]

Sponsor: Mayor

Ordinance amending Administrative Code Section 8.14 to adjust the Office of the Chief Medical Examiner's fees for providing certain documents and services; to add a fee for a new service; to delete certain fees; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130544 [Administrative Code - Library Gift Fund]

Sponsor: Mayor

Ordinance amending the Administrative Code to create a San Francisco Public Library gift fund. (Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130545 [Business and Tax Regulation Code - Hotel Tax Allocations]

Sponsor: Mayor

Ordinance amending the Business and Tax Regulation Code to remove certain allocations of the Hotel Tax and eliminate obsolete provisions.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130546 [Fire Code - San Francisco Fire Department Fines and Fees]

Sponsor: Mayor

Ordinance amending the Fire Code to increase the fees for certain Fire Department services, and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130547 [Health Code - Patient Rates - FYs 2013-14 and 2014-2015]

Sponsor: Mayor

Ordinance amending the Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2013, and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130548 [Park Code - Various Fees]

Sponsor: Mayor

Ordinance amending the Park Code by updating the berthing fees for the East and West Harbor; reauthorizing the non-resident entrance fee to the Botanical Garden; establishing a facility rental fee for the Lake Merced Boathouse; and repealing obsolete fee provisions; and making environmental findings.
(Supervisors Mar and Avalos dissented in Committee.)

PASSED ON FIRST READING by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 3 - Avalos, Campos, Mar

130550 [Police Code - Street Artist Certificate Fee]

Sponsor: Mayor

Ordinance amending the Police Code Article 24, Section 2404.1, to increase the fee for a Street Artist Certificate in accordance with the applicable Consumer Price Index when necessary in order to ensure recovery of the costs of administering and enforcing the provisions of the Street Artists Ordinance; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130551 [Police Code - Police Emergency Alarm Ordinance]

Sponsor: Mayor

Ordinance amending the Police Code to transfer administration of the Police Emergency Alarm Ordinance from the Department of Emergency Management to the Tax Collector and clarify license renewal and appeal procedures.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130552 [Approval of Expenditures - Budget Savings Incentive Fund - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Resolution approving expenditures from the Budget Savings Incentive Fund for one-time purposes in FYs 2013-2014 and 2014-2015.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130553 [Expenditure Plans - Human Services Care Fund - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Resolution approving the FYs 2013-2014 and 2014-2015 Expenditure Plans for the Human Services Care Fund.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130558 [Expenditure Plan - Public Education Enrichment Fund - San Francisco Unified School District - FY2013-2014]

Sponsor: Mayor

Resolution approving the San Francisco Unified School District expenditure plan for the Public Education Enrichment Fund for FY2013-2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130559 [Expenditure Plan - Public Education Enrichment Fund - Children and Families Commission - FY2013-2014]

Sponsor: Mayor

Resolution approving the San Francisco Children and Families Commission expenditure plan for the Public Education Enrichment Fund for FY2013-2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Budget and Finance Sub-Committee

130589 [Agreement - Brown and Caldwell - Wastewater Enterprise Sewer System Improvement Program - Not to Exceed $80,000,000]

Sponsor: Cohen

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to execute an agreement with Brown and Caldwell for planning and engineering services for the Wastewater Enterprise, Sewer System Improvement Program-Funded Agreement No. CS-235, Southeast Plant Biosolids Digester Facilities Project with an agreement amount not to exceed $80,000,000 and duration not to exceed 10 years.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130618 [Accept and Expend Grants - State Recurring Grant Funds - Department of Public Health - FY2013-2014]

Sponsor: Mayor

Resolution authorizing the acceptance and expenditure of State recurring grant funds by the San Francisco Department of Public Health for various State grant funds, FY2013-2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130625 [Accept and Expend Grant - Hilltop Park - La Salle and Whitney Young - $5,000,000]

Sponsor: Cohen

Resolution authorizing the Recreation and Park Department to retroactively accept a grant in place from the Trust for Public Land for improvements to Hilltop Park, located at La Salle and Whitney Young (Assessor's Block No. 4713, Lot No. 013), valued at $5,000,000 from July 1, 2011, through June 30, 2019.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130626 [Agreement - San Francisco Municipal Transportation Agency Commercial Paper Program - Not to Exceed $100,000,000]

Sponsor: Farrell

Resolution authorizing the issuance of aggregate principal amount not to exceed $100,000,000 adopted on June 4, 2013, by the Board of Directors to use San Francisco Municipal Transportation Agency commercial paper notes on a revolving basis for the purpose of financing certain capital improvements and other uses related to the Agency, approving the forms of documents relating thereto; approving the maximum interest thereon; and related matters.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130627 [Agreements - Tax Exempt and Taxable Lease Revenue Commercial Paper Certificates of Participation - Not to Exceed $100,000,000]

Sponsor: Farrell

Resolution authorizing the execution and delivery from time to time of Tax-Exempt (Series 3 and Series 4) and Taxable Lease Revenue Commercial Paper Certificates of Participation (Series 3-T and Series 4-T), in a aggregate principal amount not to exceed $100,000,000, to provide interim financing for certain City capital projects; and approving and authorizing execution of a trust agreement, a site lease, a sublease, a letter of credit, and reimbursement agreement, a fee agreement and certain other financing documents, and authorizing other related actions.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130678 [Multifamily Housing Revenue Bonds - 1100 Ocean Avenue Apartments - Not to Exceed $19,500,000]

Sponsors: Yee; Campos

Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $19,500,000 for the purpose of providing financing for the acquisition and construction of a 71-unit multifamily rental housing project known as 1100 Ocean Avenue Apartments; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130679 [Accept and Expend Grant - Pedestrian and Bicycle Projects - $865,864]

Sponsors: Yee; Mar and Campos

Resolution authorizing the acceptance and expenditure of State Transportation Development Act Article 3 grant funds for various pedestrian and bicycle projects in San Francisco in FY2013-2014, totaling $865,864 including $432,932 for the Department of Public Works and $432,932 for the Municipal Transportation Agency for the period of September 1, 2013, through August 31, 2016.

Supervisors Mar and Campos requested to be added as co-sponsors.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

130523 [Major Encroachment - San Francisco State University - Pedestrian Tunnel Below Winston Drive]

Resolution granting a revocable permission to San Francisco State University (SFSU) to occupy portions of the public right-of-way to construct and maintain a pedestrian tunnel below Winston Drive to provide a safe and accessible connection from the main campus of SFSU to the site of a new Recreation Wellness Center; and making environmental findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Public Works Department)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130524 [Street Encroachment - Atlantic Richfield Company - 2 Richardson Avenue]

Resolution granting revocable permission to Atlantic Richfield Company to occupy a portion of the public right-of-way to install and maintain four soil vapor extraction conduits connecting to two new vapor extraction wells crossing under Broderick Street fronting 2 Richardson Avenue (Assessor's Block No. 0934, Lot No. 019), conditioned upon the payment of an annual assessment fee, and making environmental findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Public Works Department)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130525 [Street Encroachment - Jeremy Ricks- 1281-1283 Greenwich Street; Hyde and Larkin Streets]

Resolution granting revocable permission to Jeremy Ricks to occupy a portion of the public right-of-way to extend an unimproved portion of Greenwich Street with a privately maintained driveway to provide access to a new garage at 1281-1283 Greenwich Street (Assessor's Block No. 0095, Lot Nos. 023-025); to install additional landscaping and public access improvements within the unimproved portion of the Greenwich Street public right-of-way between Hyde and Larkin Streets, conditioned upon the payment of an annual assessment fee of $4433.00; and making environmental findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1. (Public Works Department)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130656 [Supporting the Establishment of an Urban Agriculture Program]
Sponsors: Chiu; Campos and Mar
Resolution acknowledging receipt of the Office of the City Administrator's recommendations regarding the establishment of an Urban Agriculture Program; supporting the Recreation and Park Department as the location for the new Urban Agriculture Program to coordinate the City's urban agriculture activities; and setting reporting goals related to Urban Agriculture.

Supervisors Campos and Mar requested to be added as co-sponsors.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130677 [Interim Zoning Controls in the Planning Code - Upper Market Street Neighborhood Commercial Transit District]
Sponsor: Wiener
Resolution imposing interim zoning controls for an 18-month period requiring Conditional Use authorization for Limited Financial Service and Business or Professional Service uses in the Upper Market Neighborhood Commercial Transit District; making environmental findings and findings of consistency with the General Plan and with the priority policies of Planning Code, Section 101.1.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Kim, seconded by Supervisor Avalos, moved to suspend Rule 5.2 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by unanimous consent:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim commended in loving memory of longtime community activist Jazzy Collins upon her passing, in recognition of her dedication, accomplishments, community support, and further requested the Board to adjourn today's meeting in her memory. Supevisors Chiu, Avalos, Campos, Wiener, Mar, and members of her San Framily shared in this commendation.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to privilege of the floor.
Male Speaker; expressed various religious concerns.
Peter Warfield; expressed concerns relating to the SF Public Library.
Barry Toronto; expressed concerns relating to the regulation of taxis and rideshare services.
Female Speaker; expressed concerns relating to the regulation of taxis and rideshare services.
Walter Paulson; shared in song certain concerns with the Board.
Female Speaker; expressed concerns relating to homelessness and shelters.
Douglas Yepp; expressed various concerns.
Bette Tu; expressed various concerns relating to public housing.
Ace Washington; expressed concerns relating to a state of emergency for the black population in San Francisco.
Daniel Landry; expressed concerns relating to the Trayvon Martin case.
Male Speaker; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130715 [Commemorating Lou Giraudo]

Sponsors: Chiu; Campos and Farrell

Resolution commemorating Lou Giraudo for his exemplary civic leadership in the City and County of San Francisco.

ADOPTED

130716 [Sue Bierman Park Playground Grand Opening]

Sponsors: Chiu; Campos

Resolution recognizing the grand opening of the new playground at Sue Bierman Park and commending the Recreation and Park Department, the Friends of Waterfront Playground, the San Francisco Parks Alliance, and the entire project team for their hard work and commitment to creating the new playground.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED

130717 [Recreation and Parks Month - July 2013]

Sponsors: Chiu and Tang

Resolution declaring July 2013, as Recreation and Parks Month in the City and County of San Francisco.

ADOPTED

130699 [Final Map 7232 - 2299 Market Street]

Motion approving Final Map 7232, a Two Airspace Subdivision, being a 18 Residential Unit and One Commercial Unit, and a Mixed-Use Condominium Project, located at 2299 Market Street being a subdivision of Assessor's Block No. 3564, Lot No. 091, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-089

APPROVED

130700 [Final Map 7427 - 1401 Market Street]

Motion approving Final Map 7427, a Ten Airspace Subdivision of 754 Residential Units and Eight Commercial Units, and a Mixed-Use Condominium Project, located at 1401 Market Street being a subdivision of Assessor's Block No. 3507, Lot No. 041, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-090

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED RESOLUTIONS

130567 [Settlement of Unlitigated Claims - 300 Spear Realty Venture LLC]

Resolution approving the settlement of the unlitigated claim in favor of 300 Spear Realty Venture LLC against the City and County of San Francisco; and the unlitigated claim in favor of the City and County of San Francisco against 300 Spear Realty Venture LLC. (City Attorney)

07/08/13; RECEIVED FROM DEPARTMENT.

07/16/13; RECEIVED AND ASSIGNED to Rules Committee.

130671 [Airport Concession Lease - Skyline Concessions, Inc. - $192,000 Minimum Annual Guarantee]

Resolution approving the Boarding Area E Newsstand Lease, A Small Business Enterprise Set-Aside, between Skyline Concessions, Inc., and the City and County of San Francisco, acting by and through its Airport Commission for a seven year term with a minimum annual guarantee of $192,000. (Airport Commission)

07/03/13; RECEIVED FROM DEPARTMENT.

07/16/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130701 [Lease Renewal - Real Property at 3801-3rd Street, Suite 400 - Bayview Plaza, LLC, - $38,545 Monthly]

Resolution authorizing retroactively the renewal lease for approximately 14,825 square feet of space at 3801-3rd Street, Suite 400, San Francisco, with Bayview Plaza, LLC, as Landlord, for use by the Department of Public Health at the monthly cost of $38,545 for the period of July 1, 2013, through June 30, 2018. (Real Estate Department)

07/05/13; RECEIVED FROM DEPARTMENT.

07/16/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130702 [Lease Amendment - Gleneagles Golf Partners, LP]

Resolution authorizing the Recreation and Park Department General Manager to enter into a first lease amendment with Gleneagles Golf Partners, LP, for the operation of the Gleneagles Golf Course in McLaren Park.

07/08/13; RECEIVED FROM DEPARTMENT.

07/16/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130703 [Sale of Easement - Public Utilities Commission to Pacific Gas and Electric Company - Watershed Lands Near the Caltrans I-280 Crystal Springs Rest Stop - Unincorporated San Mateo County - $15,400]

Resolution approving and authorizing the sale of an easement on the City and County of San Francisco's property, consisting of approximately 23,000 square feet of watershed lands in unincorporated San Mateo County near the Caltrans I-280 Crystal Springs Rest Stop (the Easement Area or Crystal Springs Station) by the San Francisco Public Utilities Commission, for the price of $15,400; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan and eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

07/08/13; RECEIVED FROM DEPARTMENT.

07/16/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130704 [Agreement - Alliant Insurance Services, Inc. - Brokerage Services - $22,000,000]

Resolution authorizing the Director of the Risk Management Division of the Office of the City Administrator to execute a brokerage and risk management consulting services agreement with Alliant Insurance Services, Inc. for a not to exceed value of $22,000,000 with a term of up to two years, two months, pursuant to Charter Section 9.118. (City Administrator)

07/08/13; RECEIVED FROM DEPARTMENT.

07/16/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130705 [Settlement of Unlitigated Claims - Donald Wiggam - $125,000]

Resolution approving the settlement of the unlitigated claims filed by Donald Wiggam against the City and County of San Francisco for $125,000; claims were filed on October 22, 2011, August 9, 2012, and March 26, 2013. (City Attorney)

07/08/13; RECEIVED FROM DEPARTMENT.

07/16/13; RECEIVED AND ASSIGNED to Rules Committee.

In Memoriam

Otto Tamaoaiga James Brown - Supervisors Avalos and Cohen
Jazzie Collins - Supervisors Kim, Campos, Chiu, Avalos
Lina Zhao Lim - Supervisor Kim
Khin Win Min - Supervisor Kim
Toshi H. Sasaki - Supervisor Mar
Eric Ohena Lembembe - Supervisor Wiener

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:46 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

JUL 26 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, July 23, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 1:00 PM
Budget and Finance Sub-Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:00 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Farrell, seconded by Supervisor Wiener, moved to approve the Board Meeting Minutes of July 18, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

130538 [Administrative Code - Special Funds for Cultural, Arts, and Publicity Programs]
Sponsor: Mayor

Ordinance amending the Administrative Code to establish the Arts Commission Cultural Centers Fund and the City Administrator Grants for the Arts Fund; clarify provisions of the Convention Facilities Fund, War Memorial Special Fund, and Cultural Equity Endowment Fund; and conform other provisions of the Code to the new funding structure.

FINALLY PASSED

130539 [Administrative Code - Library Fines and Fees]
Sponsor: Mayor

Ordinance amending the Administrative Code to reduce video and digital video disc fees and to increase fees for scanning of photographs at higher resolutions and reproduction of photographs for commercial purposes.

FINALLY PASSED

130540 [Administrative Code - Surety Bonds and Bid Securities]

Sponsor: Mayor

Ordinance amending the Administrative Code to authorize the Controller to delegate to the Risk Manager authority to make certain decisions regarding the amount of surety bonds and the sufficiency and qualifications of sureties.

FINALLY PASSED

130541 [Administrative, Business and Tax Regulation Codes - Controller's Reports and Cash Reserve Fund]

Sponsor: Mayor

Ordinance amending the Administrative, Business and Tax Regulation Codes to modify when the Controller is required to issue various reports and conduct various program audits and repealing obsolete provisions regarding the cash reserve fund.

FINALLY PASSED

130542 [Administrative Code - Public Administrator/Public Guardian Representative Payee Fee]

Sponsor: Mayor

Ordinance amending the Administrative Code to increase the monthly fee for representative payee services to $39 dollars per month; and making environmental findings.

FINALLY PASSED

130543 [Administrative Code - Medical Examiner's Fees for Copies of Documents and Certain Services]

Sponsor: Mayor

Ordinance amending Administrative Code Section 8.14 to adjust the Office of the Chief Medical Examiner's fees for providing certain documents and services; to add a fee for a new service; to delete certain fees; and making environmental findings.

FINALLY PASSED

130544 [Administrative Code - Library Gift Fund]

Sponsor: Mayor

Ordinance amending the Administrative Code to create a San Francisco Public Library gift fund. (Fiscal Impact)

FINALLY PASSED

130545 [Business and Tax Regulation Code - Hotel Tax Allocations]

Sponsor: Mayor

Ordinance amending the Business and Tax Regulation Code to remove certain allocations of the Hotel Tax and eliminate obsolete provisions.

FINALLY PASSED

130546 [Fire Code - San Francisco Fire Department Fines and Fees]

Sponsor: Mayor

Ordinance amending the Fire Code to increase the fees for certain Fire Department services, and making environmental findings.

FINALLY PASSED

130547 [Health Code - Patient Rates - FYs 2013-14 and 2014-2015]

Sponsor: Mayor

Ordinance amending the Health Code to set patient rates and other services provided by the Department of Public Health, effective July 1, 2013, and making environmental findings.

FINALLY PASSED

130550 [Police Code - Street Artist Certificate Fee]

Sponsor: Mayor

Ordinance amending the Police Code Article 24, Section 2404.1, to increase the fee for a Street Artist Certificate in accordance with the applicable Consumer Price Index when necessary in order to ensure recovery of the costs of administering and enforcing the provisions of the Street Artists Ordinance; and making environmental findings.

FINALLY PASSED

130551 [Police Code - Police Emergency Alarm Ordinance]

Sponsor: Mayor

Ordinance amending the Police Code to transfer administration of the Police Emergency Alarm Ordinance from the Department of Emergency Management to the Tax Collector and clarify license renewal and appeal procedures.

FINALLY PASSED

Recommendations of the Rules Committee

130690 [Appointment, Commission on Aging Advisory Council - Vera Haile]

Motion appointing Vera Haile, term ending March 31, 2015, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Motion No. M13-091

APPROVED

130691 [Appointments, Ballot Simplification Committee - June Fraps, Betty Packard, and Adele Fasick]

Motion appointing June Fraps, Betty Packard, and Adele Fasick, terms ending November 30, 2014, to the Ballot Simplification Committee. (Clerk of the Board)

Motion No. M13-092

APPROVED

130692 [Appointment, Bay Area Regional Interoperable Communications System Authority - Captain Michael Connolly]

Motion appointing Captain Michael Connolly, for an indefinite term, to the Bay Area Regional Interoperable Communications System Authority, residency requirement waived. (Clerk of the Board)

Motion No. M13-093

APPROVED

130693 [Appointment, Wage Theft Task Force - Winifred Kao]

Motion appointing Winifred Kao, term ending October 2, 2013, to the Wage Theft Task Force. (Clerk of the Board)

Motion No. M13-094

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

130535 [Proposed Budget and Annual Appropriation Ordinance - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Proposed Budget and Annual Appropriation Ordinance appropriating all estimated receipts and all estimated expenditures for Departments of the City and County of San Francisco as of July 11, 2013, for the FYs ending June 30, 2014, and June 30, 2015.
(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130536 [Annual Salary Ordinance - FYs 2013-2014 and 2014-2015]

Sponsor: Mayor

Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the FYs ending June 30, 2014, and June 30, 2015, continuing, creating, or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefore.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130537 [Lease and Management Agreement - Botanical Garden Society - Waiving Fees - Botanical Garden at Strybing Arboretum in Golden Gate Park]

Sponsor: Mayor

Ordinance approving and authorizing a Lease and Management Agreement between the City and the San Francisco Botanical Garden Society for the San Francisco Botanical Garden at Strybing Arboretum in Golden Gate Park, with an initial term of 10 years with two 10-year extension options; waiving the non-resident admission fee in Park Code, Section 12.46(d) for certain persons and entities as set forth in the Lease and Management Agreement; ratifying prior acts in connection with this Ordinance; and making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 3 - Avalos, Campos, Mar

130548 [Park Code - Various Fees]

Sponsor: Mayor

Ordinance amending the Park Code by updating the berthing fees for the East and West Harbor; reauthorizing the non-resident entrance fee to the Botanical Garden; establishing a facility rental fee for the Lake Merced Boathouse; and repealing obsolete fee provisions; and making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 3 - Avalos, Campos, Mar

From the Land Use and Economic Development Committee Without Recommendation

121019 [Administrative Code - California Environmental Quality Act Procedures, Appeals, and Public Notice Requirements]

Sponsors: Wiener; Chiu, Kim, Cohen and Mar

Ordinance amending Administrative Code, Chapter 31, to reflect revisions in the California Environmental Quality Act and to update and clarify certain procedures provided for in Chapter 31, including without limitation: codifying procedures for appeals of exemptions and negative declarations; revising noticing procedures for environmental impact reports and negative declarations for plan area projects exceeding 20 acres; expanding noticing requirements for certain exempt projects; clarifying existing noticing requirements for exempt projects; and making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

130616 [Alternative Bid Process to Award Contracts to Certain Core Trade Subcontractors to Perform Pre-Construction Design-Assist Services - Moscone Expansion Project]

Sponsor: Mayor

Ordinance authorizing the San Francisco Department of Public Works to implement an alternative bid process to award contracts to certain Core Trade Subcontractors to provide pre-construction design-assist services for the proposed Moscone Expansion Project.

Privilege of the floor was granted to Brook Mebrahtu (Department of Public Works) who responded to questions raised throughout the discussion.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130497 [Emergency Contract - Southeast Water Pollution Control Plant at 750 Phelps Street - Not to Exceed $10,335,427]

Sponsor: Cohen

Resolution approving two emergency Public Works contracts of the San Francisco Public Utilities Commission under Administrative Code, Section 6.60, to replace the unstable roofs on six digesters and two biosolids storage cake bins at the Southeast Water Pollution Control Plant at 750 Phelps Street with a contract amount not to exceed $10,335,427.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130511 [Contract Amendment - HealthRIGHT 360 - $18,471,407]

Resolution retroactively approving an amendment to the contract between the Department of Public Health and HealthRIGHT 360 to provide mental health and substance abuse care services in the San Francisco County Jail system to extend the term by two and one half years, from the period of July 1, 2010, through June 30, 2012, to the period of July 1, 2010, through December 31, 2015, for a total contract term of five and one half years, and to increase the total contract amount by $8,472,407 from $9,999,000 to $18,471,407. (Public Health Department)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130512 [Contract Amendment - West Bay Housing Corporation - $25,060,995]

Resolution retroactively approving an amendment to the contract between the Department of Public Health and West Bay Housing Corporation to provide Scattered Site Housing and Rental Subsidies Program Services to extend the term from April 1, 2009, through June 30, 2013, to April 1, 2009, through June 30, 2018, and to increase the total contract amount by $15,491,565 from $9,569,430 to $25,060,995. (Public Health Department)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130513 [Contract - MedImpact Healthcare Systems, Inc. - $21,593,120]

Resolution retroactively approving a contract between the Department of Public Health and MedImpact Healthcare Systems, Inc., to provide Pharmacy Benefits Management Services, including computerized approval of prescriptions at a network of community pharmacies for Community Behavioral Health Services clients who do not have prescription drug insurance, in the amount of $21,593,120 for the period of July 1, 2013, through June 30, 2018. (Public Health Department)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130514 [Contract Amendment - Siemens Medical Solutions USA, Inc. - Not to Exceed $52,294,980]

Resolution authorizing the Department of Public Health to enter into a contract amendment with Siemens Medical Solutions USA, Inc., for the purchase of product and service enhancements for the term of July 1, 2010, through June 30, 2017, with one option to extend the initial term for an additional 24 months, ending June 30, 2019, for an amount not to exceed 52,294,980. (Public Health Department)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130517 [Emergency Contract - Declaration of Emergency - North Shore Force Main - Not to Exceed $7,575,529]

Resolution approving a Declaration of Emergency and emergency contract to repair leaks along the North Shore Force Main in the amount not to exceed $7,575,529. (Public Utilities Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130532 [Agreement Amendments - Crestwood Behavioral Health Services and Mental Health Management, Inc. Canyon Manor - $78,285,998]

Resolution retroactively approving an amendment to each of two agreements for long term mental health services in 24-hour locked facilities between the Department of Public Health and Crestwood Behavioral Health Services, by $3,010,995 from $48,717,156 to $51,728,151; Mental Health Management I, Inc., dba Canyon Manor, by $5,564,089 from $20,966,758 to $26,530,847 for a combined increase of $78,285,998 with an extension of the term of eighteen months, for a total contract term of October 1, 2008, through December 31, 2014. (Public Health Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130619 [Accept and Expend Gift - Mayor's Earth Day Breakfast - $12,500]

Sponsor: Mayor

Resolution authorizing the Department of the Environment to retroactively accept and expend a gift in the amount of $12,500 from Citibank to sponsor the Mayor's Annual Earth Day Breakfast which took place at City Hall on April 24, 2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130645 [Lease Amendment - Real Property at 720 Sacramento Street - Ridgeway Apartments, Inc. - $26,980 Monthly]

Resolution retroactively authorizing the second lease amendment for approximately 9,250 square feet of space at 720 Sacramento Street, San Francisco, with Ridgeway Apartments, Inc., as Landlord, for use by the Department of Public Health at the monthly cost of $26,980 for the period of July 1, 2013, through June 30, 2018. (Real Estate Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130649 [Accept and Expend Grant - Community Scale Renewable Energy Integration - Central Corridor EcoDistrict - $300,000]

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant of $300,000 from the California Energy Commission for the purpose of exploring Community Scale Renewable Energy Integration in San Francisco's Central Corridor Eco-District for the term June 1, 2013, through March 31, 2015. (Environment)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130657 [Accept Gifts - EcoCenter - 1455 Market Street - $114,600]

Sponsor: Mayor

Resolution authorizing the Department of the Environment to retroactively accept gifts with a total value of $114,600 to build out the Department of the Environment's EcoCenter at 1455 Market Street.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130719 [Professional Services Agreement - Budget and Legislative Analyst Services]

Motion authorizing the Clerk of the Board of Supervisors to commence negotiations and enter into a Professional Services Agreement for Budget and Legislative Analyst Services with Harvey M. Rose Associates, LLC, Debra A. Newman, Louie & Wong, LLP, a Joint Venture and approving said agreement, pursuant to Charter Section 2.117. (Clerk of the Board)
(Fiscal Impact)

Motion No. M13-095

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

From the Budget and Finance Committee Without Recommendation

130653 [Administrative Code - Health Service System Plans and Contribution Rates - Calendar Year 2014]

Sponsor: Farrell

Ordinance amending the Administrative Code, Chapter 16, Article XV, of Part 1, Section 16.703, regarding Board approval of health service system plans and contribution rates for calendar year 2014.
(Fiscal Impact)

Privilege of the floor was granted to Catherine Dodd, Ph.D., Director, Health Service Systems, who responded to questions raised throughout the discussion.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130654 [Establishing Monthly Contribution Amount - Health Service Trust Fund]

Sponsor: Farrell

Resolution establishing monthly contribution amount to the Health Service Trust Fund.

Privilege of the floor was granted to Catherine Dodd, Ph.D., Director, Health Service Systems, who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

130527 [General Plan - San Francisco Bicycle Transportation Plan]

Sponsors: Avalos; Chiu, Wiener, Campos, Mar and Kim

Ordinance re-adopting the 2009 San Francisco Bicycle Transportation Plan; rescinding Ordinance No. 0109-05 in its entirety; amending the General Plan in connection with the San Francisco Bicycle Plan; adopting modified environmental findings, and findings that the General Plan amendment is consistent with the General Plan and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection thereto.

Supervisors Campos, Mar, and Kim requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130528 [Planning, Environment Codes - Bicycle Parking Standards; In Lieu Fee]

Sponsors: Avalos; Chiu, Wiener, Mar, Kim and Campos

Ordinance amending the Planning Code to revise the bicycle parking standards, allow a portion of the bicycle parking requirements to be satisfied by payment of an in lieu fee, allow automobile parking spaces to be reduced and replaced by bicycle parking spaces, and authorize the Zoning Administrator to waive or modify required bicycle parking; amending the Environment Code to revise cross-references to the Planning Code and make technical amendments; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

Supervisors Mar, Kim, and Campos requested to be added to as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130661 [Police Code - Aerial Signs and Advertising]

Ordinance amending the Police Code to prohibit the use of aircraft, self-propelled, or buoyant objects to display any sign or advertising device in the airspace over the 34th America's Cup course area; and making environmental findings. (Department of Economic and Workforce Development)

Privilege of the floor was granted to Jon Givner, Deputy City Attorney, and Michael Martin (Office of Economic and Workforce Development) who responded to questions raised throughout the discussion.

Supervisor Chiu, seconded by Supervisor Yee, moved that this Ordinance be AMENDED on Page 4, Line 10, by adding '(c) Section 4901 shall not apply to any person who has a valid certificate of authorization or waiver from the Federal Aviation Administration authorizing the use of any type of aircraft or other self-propelled or buoyant airborne object as prohibited by Section 4901.' The motion carried by the following vote:

Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Avalos

NOT PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 5 - Chiu, Farrell, Mar, Tang, Wiener
Noes: 6 - Avalos, Breed, Campos, Cohen, Kim, Yee

Supervisor Wiener, seconded by Supervisor Cohen, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Chiu, Cohen, Farrell, Mar, Tang, Wiener
Noes: 5 - Avalos, Breed, Campos, Kim, Yee

130647 [Approving Inclusionary Affordable Housing Program Ordinance]

Motion approving the Inclusionary Affordable Housing Program Ordinance recommending a standard to determine what constitutes a "significant increase in residential development potential" under Charter Section 16.110(h)(1)(B)(iv). (Land Use and Economic Development Committee)

Motion No. M13-097

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

130460 [Administrative Code - Airport Facilities Naming Advisory Committee]
Sponsors: Campos; Wiener, Avalos, Kim, Mar, Yee and Chiu
Ordinance amending the Administrative Code to establish the Airport Facilities Naming Advisory Committee and to establish its powers and duties.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130409 [Appointment, Police Commission - Petra DeJesus]
Motion confirming the Rules Committee's nomination of, and appointing, Petra DeJesus, term ending April 30, 2017, to the Police Commission. (Clerk of the Board)

Motion No. M13-098

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Mar, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Dairo Romero formerly of the Mission Economic Development Agency in recognition of his accomplishments and continued community support.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Richard Woo of Citikids Baby News in recognition 25 years in the Richmond district upon his retirement. Supervisor Farrell shared in this commendation.

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to Manish Champsee and Elizabeth Stampe of WalkSF in recognition of his accomplishments relating to pedestrian safety and continued community support. Supervisors Chiu, Kim, Yee, Mar, Campos, and Avalos shared in this commendation.

Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to the San Francisco Immigrant Rights Defense Committee, received by Cynthia Munoz, in recognition of her accomplishments and continued community support. Supervisors Chiu, Cohen, and Campos shared in this commendation.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Supervisor Farrell was noted absent at 3:54 p.m.; and noted present at 4:08 p.m.

130635 [Public Hearing - Top of Broadway Community Benefit District]

Sponsor: Chiu

Public hearing pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code §§ 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code Article 15, to consider establishment of a property-based assessment district to be known as the Top of Broadway Community Benefit District.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 130636. Supervisor Chiu provided opening remarks. David Elliott Lewis; Male Speaker; Kyle Franklin; Female Speaker; Darren Swan; Rober Wieman; Stephan Causalatto; Michael Nulty; Benjamin Horner; Mike Madrid; Gary Marlin; spoke in support of the assessment district. Calvin Louie; Janette Biagini-Barroca; Francesca Valdez; Male Speaker; spoke in opposition to the assessment district. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

130636 [Resolution to Establish - Top of Broadway Community Benefit District]

Sponsor: Chiu

Resolution establishing a property-based business improvement district known as the "Top of Broadway Community Benefit District;" ordering the levy and collection of assessments against property located in that district for eight years commencing with FY2013-2014, subject to conditions as specified; and making environmental findings.

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the returned weighted ballots voting for the Top of Broadway Community Benefit District was 56.16%, and the returned weighted ballots voting against the Top of Broadway Community Benefit District was 43.84%, further indicating there was no majority protest.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Supervisor Yee was noted absent at 4:04 p.m.; and noted present at 4:12 p.m.
Supervisor Cohen was noted absent at 4:06 p.m.; and noted present at 4:40 p.m.
Supervisor Farrell was noted absent at 4:10 p.m.; and noted present at 4:21 p.m.

130637 [Public Hearing - Central Market Community Benefit District]

Sponsor: Kim

Public hearing pursuant to the California Property and Business Improvement District Law of 1994 (Streets and Highways Code §§ 36600 et seq.) and City and County of San Francisco Business and Tax Regulations Code Article 15, to consider renewal and expansion of a property-based assessment district to be known as the Central Market Community Benefit District.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 130638. Supervisor Chiu provided opening remarks. Female Speaker; Amaro Entero; Brian Smith; David Fariello; Tracy Everwein; Catherine Burdett; April Hernandez (Split Pea Production); Richard Lewis Perri; Jane Wyle; Nick Berg; Robin Anderson (Alonzo King Ballet); Don Savoy (Civic Center District); Feliciana Devina; Susan McKinnen (Tenderloin District); Bill Maher (former Supervisor); William Thatcher; Otto Duffy (North of Market); Michael Nulty; spoke in support of the assessment district. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

130638 [Resolution to Establish (Renew and Expand) - Central Market Community Benefit District]

Sponsor: Kim

Resolution of formation to establish (renew and expand) the property-based business improvement district known as the "Central Market Community Benefit District," ordering the levy and collection of assessments against property located in that district for 15 years commencing with FY2013-2014, subject to conditions as specified; and making environmental findings.

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that the returned weighted ballots voting for the Cental Market Community Benefit District was 67.15%, and the returned weighted ballots voting against the Central Market Community Benefit District was 32.85%, further indicating there was no majority protest.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

130664 [Appeal of the Historic Preservation Commission's Decision on a Major Permit to Alter - 706 Mission Street]

Hearing of persons interested in or objecting to the Historic Preservation Commission's decision, dated May 15, 2013, approving a Major Permit to Alter for an interior and exterior rehabilitation, as well as seismic upgrade of the Aronson Building and new construction of a 47-story, 550'-tall tower with up to 215 residential units and a museum (the future home of The Mexican Museum) adjacent to Aronson Building and located partially within the new Montgomery-Mission-Second Street Conservation District. The project would also reconfigure portions of the existing Jessie Square Garage to increase the number of parking spaces from 442 spaces to 470 spaces, add loading and service vehicle spaces, and would allocate up to 215 parking spaces within the garage to serve the proposed residential uses for the property located at 706 Mission Street (Assessor's Block No. 3706, Lot Nos. 093, 275, and portions of Lot No. 277), within the C-3-R (Downtown Office) District and the 400-I Height and Bulk District. (District 6) (Appellants: Thomas N. Lippe on behalf of 765 Market Street Residential Owner's Association, Friends of Yerba Buena, Paul Sedway, Ron Wornick, Matthew Schoenberg, Joe Fang, and Margaret Collins) (Filed June 13, 2013). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Tom Lippe and Eric Sussman (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. There were no speakers in support of the appeal. Tim Frye and Debra Dwyer (Planning Department) and Marlena Byrne (City Attorney's Office) and Tiffany Bohee, Director, Successor Agency to the Redevelopment Agency, provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Margo Bradish (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. John; Ramin Golesorkhi; Dwight Long; Eric Broadhurst; Benjamin Fox; Female Speaker; David De La Torre (Mexican Museum); Andy Klueger (Mexican Museum); Andrew Brian (Union Square Improvement District); Aurora Trujillo; Stephan Causalatto; Mary McCue (Yerba Buena Gardens); Carla Laurel; Rudy Asercion; Virginia Grandi (Yerba Buena Alliance); Rosalia Fernandez; Roberto Hernandez; Rosario; Fernando; Jolisa; Ruby Corpuz (SOMA Violence Prevention); Rick Smith; Eduardo; Edmund Juicye; spoke in support of the project and in opposition to the appeal. Tom Lippe (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

130665 [Affirming Approval of a Major Permit to Alter - 706 Mission Street]

Motion affirming the approval by the Historic Preservation Commission of a Major Permit to Alter to allow the interior and exterior rehabilitation of the Aronson Building at 706 Mission Street and related new construction. (Clerk of the Board)

Motion No. M13-096

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130666 [Reversing Approval of a Major Permit to Alter - 706 Mission Street]

Motion reversing the approval by the Historic Preservation Commission of a Major Permit to Alter to allow the interior and exterior rehabilitation of the Aronson Building at 706 Mission Street and related new construction. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130667 [Preparation of Findings to Reverse Approval of a Major Permit to Alter - 706 Mission Street]

Motion directing the Clerk of the Board to prepare findings to reverse the approval by the Historic Preservation Commission of a Major Permit to Alter to allow the interior and exterior rehabilitation of the Aronson Building at 706 Mission Street and related new construction. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMITTEE REPORTS

Recommendations of the Rules Committee

Supervisors Kim Excused from Voting

Supervisor Wiener, seconded by Supervisor Avalos, moved that Supervisor Kim be excused from voting on File No. 130336. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Excused: 1 - Kim

Supervisors Yee Excused from Voting

Supervisor Campos, seconded by Supervisor Mar, moved that Supervisor Yee be excused from voting on File No. 130336. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener
Excused: 2 - Kim, Yee

130336 [Settlement of Lawsuit - Rosemary Bosque - $49,505.70]

Ordinance authorizing settlement of the lawsuit filed by Rosemary Bosque against the City and County of San Francisco for $49,505.70; the lawsuit was filed on May 14, 2010 in San Francisco Superior Court, Case No. CGC-10-499909, entitled Bosque v. City and County of San Francisco. (City Attorney's Office)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener
Excused: 2 - Kim, Yee

Supervisors Breed Excused from Voting

Supervisor Campos, seconded by Supervisor Yee, moved that Supervisor Breed be excused from voting on File No. 130449. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Breed

Supervisors Cohen Excused from Voting

Supervisor Yee, seconded by Supervisor Campos, moved that Supervisor Cohen be excused from voting on File No. 130449. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 2 - Breed, Cohen

130449 [Settlement of Lawsuit - Jesse J. Byrd - $75,000]

Ordinance authorizing settlement of the lawsuit filed by Jesse J. Byrd, Malik Britt, and Rashad Conley against the City and County of San Francisco for $75,000; the lawsuit was filed on April 8, 2011, in U.S. District Court, Northern District of California, Case No. C11-1742-DMR; entitled Jesse J. Byrd, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 2 - Breed, Cohen

130507 [Settlement of Lawsuit - Local Search Association - $85,000]

Ordinance authorizing settlement of the lawsuit filed by Local Search Association against the City and County of San Francisco for $85,000; the lawsuit was filed on June 7, 2011, in the U.S. District Court for the Northern District of California, Case No. CV-11-2776 SBA; entitled Local Search Association v. City and County of San Francisco, et al.; other material terms of said settlement are that the parties shall stipulate to entry of a consent judgment against the City and County of San Francisco. (City Attorney's Office)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130529 [Settlement of Lawsuit - Paulette Adams-Irving - $350,000]

Ordinance authorizing settlement of the lawsuit filed by Paulette Adams-Irving against the City and County of San Francisco for $350,000.00; the lawsuit was filed on March 15, 2011, in San Francisco Superior Court, Case No. CGC 11-509216; entitled Paulette Adams-Irving v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130530 [Settlement of Lawsuit - Maria Camacho - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Maria Camacho against the City and County of San Francisco for $50,000; the lawsuit was filed on March 7, 2012, in San Francisco Superior Court, Case No. CGC 12-517261; entitled Maria Camacho, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130643 [Settlement of Lawsuit - Maria D'Agostino - $135,000]

Ordinance authorizing settlement of the lawsuit filed by Maria D'Agostino against the City and County of San Francisco for $135,000; the lawsuit was filed on June 15, 2012, in San Francisco Superior Court, Case No. CGC-12-521615; entitled Maria D'Agostino, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130644 [Settlement of Lawsuit - Wei Vivian Cui - $30,000]

Ordinance authorizing settlement of the lawsuit filed by Wei Vivian Cui against the City and County of San Francisco for $30,000; the lawsuit was filed on November 3, 2011, in San Francisco County Superior Court, Case No. CGC-11-515654; entitled Wei Vivian Cui v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130531 [Settlement of Claim - Travelers Insurance Company and Connie Curran - $42,876.54]

Resolution approving the proposed settlement of claim filed by Travelers Insurance Company and Connie Curran against the City and County of San Francisco for $42,876.54; claim was filed on November 15, 2011, bearing Claim No. 12-01124. (City Attorney's Office)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130567 [Settlement of Unlitigated Claims - 300 Spear Realty Venture LLC]

Resolution approving the settlement of the unlitigated claim in favor of 300 Spear Realty Venture LLC against the City and County of San Francisco; and the unlitigated claim in favor of the City and County of San Francisco against 300 Spear Realty Venture LLC. (City Attorney's Office)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130634 [Settlement of Administrative Enforcement Action - $51,000]

Resolution approving the settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of $51,000. (Public Utilities Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130705 [Settlement of Unlitigated Claims - Donald Wiggam - $125,000]

Resolution approving the settlement of the unlitigated claims filed by Donald Wiggam against the City and County of San Francisco for $125,000; claims were filed on October 22, 2011, August 9, 2012, and March 26, 2013. (City Attorney's Office)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130622 [Initiative Ordinance - Administrative Code - San Francisco Family Friendly Workplace Ordinance]

Sponsors: Chiu; Cohen, Mar and Campos

Motion ordering submitted to the voters an ordinance amending the Administrative Code to: allow San Francisco-based employees to request flexible or predictable working arrangements to assist with caregiving responsibilities, subject to the employer's right to deny a request based on business reasons; prohibit adverse employment actions based on caregiver status; prohibit interference with rights or retaliation against employees for exercising rights under the Ordinance; require employers to post a notice informing employees of their rights under the Ordinance; require employers to maintain records regarding compliance with the Ordinance; authorize enforcement by the Office of Labor Standards Enforcement, including the imposition of remedies and penalties for a violation, and an appeal process for an employer to an independent hearing officer; authorize waiver of the provisions of the Ordinance in a collective bargaining agreement; and making environmental findings, to the voters of the City and County of San Francisco at an election to be held on November 5, 2013.

This item was not sent as a Committee Report.

Recommendations of the Land Use and Economic Development Committee

130186 [Environment Code - Repealing Yellow Pages Distribution Pilot Program]

Sponsor: Chiu

Ordinance amending the Environment Code by repealing Yellow Pages Distribution Pilot Program.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130459 [Planning Code - Mission Alcoholic Beverage Special Use District and Valencia Street Neighborhood Commercial Transit District]

Sponsors: Campos; Wiener

Ordinance amending the Planning Code, Mission Alcoholic Beverage Special Use District controls, to allow the transfer of liquor licenses and relocation of uses under specified circumstances, to restrict the sale of alcohol for off-site consumption, and to exempt from the controls grocery stores and certain institutional, arts, and other uses; establishing operating conditions for certain establishments with a liquor license; amending the Valencia Street Neighborhood Commercial Transit District controls to restrict the conversion of existing ground floor retail uses to restaurants; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130464 [Administrative Code - California Environmental Quality Act Procedures, Appeal of Exempt Project Modification]

Sponsors: Kim; Chiu, Campos, Avalos, Mar and Yee

Ordinance amending Administrative Code, Chapter 31, to provide for appeal to the Environmental Review Officer to reconsider a determination of the Environmental Review Officer that an exempt project modification does not require a new decision under the California Environmental Quality Act; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

From the Land Use and Economic Development Committee Without Recommendation

130570 [Planning Code, Zoning Map - Yerba Buena Center Mixed-Use Special Use District]

Ordinance amending the Planning Code and Zoning Map, by adding Section 249.71, to create the Yerba Buena Center Mixed-Use Special Use District (SUD) located at 706 Mission Street, Assessor's Block No. 3706, Lot No. 093 and portions of Lot No. 277, to facilitate the development of the 706 Mission Street, The Mexican Museum and Residential Tower Project, by modifying specific Planning Code regulations related to permitted uses, the provision of a cultural/museum use within the SUD, floor area ratio limitations, dwelling unit exposure, height of rooftop equipment, bulk limitations, and curb cut locations; amending the Zoning Map to add the SUD and increase the height of property in the SUD from 400 feet to 480 feet; and making environmental findings and findings of consistency with the General Plan. (Planning Commission)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Billy Tillman; expressed concerns relating to elder abuse.
Chris Daly (former Supervisor; SEIU); expressed concerns relating to BART negotiations and potential strike.
John DiDonna; shared in poem certain concerns with the Board.
Female Speaker; shared in commendation relating to immigrants rights and expressed concerns relating to domestic violence.
Male Speaker; expressed various religious concerns.
Joshua Abraham-Williams; expressed concerns relating to sex slavery.
Edmond Juicye; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130746 [Emergency Preparedness Grants - 2013]

Sponsor: Mayor

Resolution authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining state and federal financial assistance under various grant programs, including: the FY2013 Urban Areas Security Initiative Grant, the FY2013 State Homeland Security Grant Program, the FY2013 Emergency Management Performance Grant, the 2013 California Volunteers Grant Program, and the 2013 Local Government Oil Spill Contingency Plan Grant Program.

ADOPTED

130668 [Committee of the Whole - Special Assessment of Liens for Assessment of Cost]

Motion directing the Board of Supervisors to hold a public hearing on July 30, 2013, at 3:00 p.m. with the Board sitting as a Committee of the Whole, to consider adopting a Resolution confirming Report of Delinquent Charges for Code Enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Sections 102A.3, 102A.4, 102A.6 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and Section 110A - Tables 1A-K and 1A-G, of the San Francisco Building Code, submitted by the Director of the Department of Building Inspection for services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above. (Clerk of the Board)

Motion No. M13-099

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Campos requested that File No. 130748 be severed so that it may be considered separately.

130748 [Greater Transparency for the Kaiser Healthcare Rate Increase]

Sponsors: Farrell; Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener and Yee

Resolution urging Kaiser to immediately begin negotiating with the Health Service System toward a fair and transparent pricing model that provides fee schedule transparency and requesting the Health Service System to report back to the Board of Supervisors on the progress of negotiations.

Privilege of the floor was granted to Catherine Dodd, Ph.D., Director, Health Service Systems, who responded to questions raised throughout the discussion.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130748. Jane Manning; Female Speaker; Male Speaker; Claire Zvansky; expressed various concerns relating to Kaiser and transparency. There were no other speakers. The President declared public comment closed.

Supervisor Campos, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Campos, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED AS AMENDED to July 30, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Breed requested that File No. 130747 be severed so that it may be considered separately.

130747 [Supporting Octavia Boulevard Special Fund Programming - Proposition I Ancillary Projects]

Sponsors: Breed; Wiener

Resolution supporting the programming of $7,300,000 of funding from the Octavia Boulevard Special Fund for Proposition I Ancillary Projects.

Supervisor Breed, seconded by Supervisor Wiener, AMENDED on Page 1, Line 17, by deleting 'the' and 'to be', and Line 18, by adding '(Additional Ancillary Projects)'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Chiu requested that File No. 130753 be severed so that it may be considered separately.

130753 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 5, 2013, Consolidated General Municipal Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 5, 2013, Consolidated General Municipal Election. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Mar, moved that this Motion be CONTINUED to July 30, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED RESOLUTIONS

130729 [Agreement - County CalWIN Consortium - $53,019,909]

Resolution amending the membership of the 18 County CalWIN Consortium and authorizing the Director of the Human Services Agency to expand the expenditure authority from $42,530,138 for an additional amount of $10,489,771, the project budget including this extension is totaling to $53,019,909 from July 1, 2013, through August 1, 2015. (Human Services Agency)

07/09/13; RECEIVED FROM DEPARTMENT.

07/23/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130730 [Agreement - In-Home Supportive Services Consortium - $87,321,540]

Resolution approving the contract between the City and the In-Home Supportive Services (IHSS) Consortium of San Francisco for the provision of In-Home Supportive Services for the period of July 1, 2013, to June 30, 2017, in the amount of $87,321,540. (Human Services Agency)

07/10/13; RECEIVED FROM DEPARTMENT.

07/23/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130731 [Settlement of Claim - Jeanine Dubois - $45,000]

Resolution approving the settlement of the unlitigated claim filed by Jeanine Dubois against the City and County of San Francisco for $45,000; claim was filed on June 30, 2008. (City Attorney's Office)

07/11/13; RECEIVED FROM DEPARTMENT.

07/23/13; RECEIVED AND ASSIGNED to Rules Committee.

130732 [Real Property Lease - Port Commission - 295 Terry Francois]

Resolution approving Port Commission Lease No. L-15255 for restaurant space located at 295 Terry Francois Boulevard in the Central Waterfront with a one hundred eighty month term with one sixty-month term extension option. (Port)

07/23/13; RECEIVED FROM DEPARTMENT.

07/23/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 8:17 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, July 30, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:30 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

GOVERNMENT
DOCUMENTS DEPT

AUG - 5 2013

SAN FRANCISCO
PUBLIC LIBRARY

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:47 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Breed, moved to approve the Board Meeting Minutes of June 25, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

Supervisor Chiu apologized for the late start for the Board of Supervisors meeting, which was due to the meeting of Transportation Authority, further announcing that the meerting of the Transportation Authority will reconvene following the Board Meeting. There were no further communications.

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

130616 [Alternative Bid Process to Award Contracts to Certain Core Trade Subcontractors to Perform Pre-Construction Design-Assist Services - Moscone Expansion Project]

Sponsor: Mayor

Ordinance authorizing the San Francisco Department of Public Works to implement an alternative bid process to award contracts to certain Core Trade Subcontractors to provide pre-construction design-assist services for the proposed Moscone Expansion Project.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

130186 [Environment Code - Repealing Yellow Pages Distribution Pilot Program]

Sponsors: Chiu; Mar

Ordinance amending the Environment Code by repealing Yellow Pages Distribution Pilot Program.

Supervisor Mar requested to be added as a co-sponsor.

FINALLY PASSED

130459 [Planning Code - Mission Alcoholic Beverage Special Use District and Valencia Street Neighborhood Commercial Transit District]

Sponsors: Campos; Wiener

Ordinance amending the Planning Code, Mission Alcoholic Beverage Special Use District controls, to allow the transfer of liquor licenses and relocation of uses under specified circumstances, to restrict the sale of alcohol for off-site consumption, and to exempt from the controls grocery stores and certain institutional, arts, and other uses; establishing operating conditions for certain establishments with a liquor license; amending the Valencia Street Neighborhood Commercial Transit District controls to restrict the conversion of existing ground floor retail uses to restaurants; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

FINALLY PASSED

130464 [Administrative Code - California Environmental Quality Act Procedures, Appeal of Exempt Project Modification]

Sponsors: Kim; Chiu, Campos, Avalos, Mar and Yee

Ordinance amending Administrative Code, Chapter 31, to provide for appeal to the Environmental Review Officer to reconsider a determination of the Environmental Review Officer that an exempt project modification does not require a new decision under the California Environmental Quality Act; and making environmental findings.

FINALLY PASSED

130527 [General Plan - San Francisco Bicycle Transportation Plan]

Sponsors: Avalos; Chiu, Wiener, Campos, Mar and Kim

Ordinance re-adopting the 2009 San Francisco Bicycle Transportation Plan; rescinding Ordinance No. 0109-05 in its entirety; amending the General Plan in connection with the San Francisco Bicycle Plan; adopting modified environmental findings, and findings that the General Plan amendment is consistent with the General Plan and the eight priority policies of Planning Code, Section 101.1; and authorizing official acts in connection thereto.

FINALLY PASSED

130528 [Planning, Environment Codes - Bicycle Parking Standards; In Lieu Fee]

Sponsors: Avalos; Chiu, Wiener, Mar, Kim and Campos

Ordinance amending the Planning Code to revise the bicycle parking standards, allow a portion of the bicycle parking requirements to be satisfied by payment of an in lieu fee, allow automobile parking spaces to be reduced and replaced by bicycle parking spaces, and authorize the Zoning Administrator to waive or modify required bicycle parking; amending the Environment Code to revise cross-references to the Planning Code and make technical amendments; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

FINALLY PASSED

130703 [Sale of Easement - Public Utilities Commission to Pacific Gas and Electric Company - Watershed Lands Near the Caltrans I-280 Crystal Springs Rest Stop - Unincorporated San Mateo County - $15,400]

Resolution approving and authorizing the sale of an easement on the City and County of San Francisco's property, consisting of approximately 23,000 square feet of watershed lands in unincorporated San Mateo County near the Caltrans I-280 Crystal Springs Rest Stop (the Easement Area or Crystal Springs Station) by the San Francisco Public Utilities Commission, for the price of $15,400; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan and eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

ADOPTED

Recommendations of the Rules Committee

130460 [Administrative Code - Airport Facilities Naming Advisory Committee]

Sponsors: Campos; Wiener, Avalos, Kim, Mar, Yee and Chiu

Ordinance amending the Administrative Code to establish the Airport Facilities Naming Advisory Committee and to establish its powers and duties.

FINALLY PASSED

130507 [Settlement of Lawsuit - Local Search Association - $85,000]

Ordinance authorizing settlement of the lawsuit filed by Local Search Association against the City and County of San Francisco for $85,000; the lawsuit was filed on June 7, 2011, in the U.S. District Court for the Northern District of California, Case No. CV-11-2776 SBA; entitled Local Search Association v. City and County of San Francisco, et al.; other material terms of said settlement are that the parties shall stipulate to entry of a consent judgment against the City and County of San Francisco. (City Attorney's Office)

FINALLY PASSED

130529 [Settlement of Lawsuit - Paulette Adams-Irving - $350,000]

Ordinance authorizing settlement of the lawsuit filed by Paulette Adams-Irving against the City and County of San Francisco for $350,000.00; the lawsuit was filed on March 15, 2011, in San Francisco Superior Court, Case No. CGC 11-509216; entitled Paulette Adams-Irving v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

130530 [Settlement of Lawsuit - Maria Camacho - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Maria Camacho against the City and County of San Francisco for $50,000; the lawsuit was filed on March 7, 2012, in San Francisco Superior Court, Case No. CGC 12-517261; entitled Maria Camacho, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

130643 [Settlement of Lawsuit - Maria D'Agostino - $135,000]

Ordinance authorizing settlement of the lawsuit filed by Maria D'Agostino against the City and County of San Francisco for $135,000; the lawsuit was filed on June 15, 2012, in San Francisco Superior Court, Case No. CGC-12-521615; entitled Maria D'Agostino, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

130644 [Settlement of Lawsuit - Wei Vivian Cui - $30,000]

Ordinance authorizing settlement of the lawsuit filed by Wei Vivian Cui against the City and County of San Francisco for $30,000; the lawsuit was filed on November 3, 2011, in San Francisco County Superior Court, Case No. CGC-11-515654; entitled Wei Vivian Cui v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

130642 [Appointments, Commission of Animal Control and Welfare - Zachary Marks, Russell Tenofsky, Sally Stephens, and Jennifer Jameson]

Motion appointing Zachary Marks, Russell Tenofsky, Sally Stephens, and Jennifer Jameson, terms ending April 30, 2015, to the Commission of Animal Control and Welfare. (Clerk of the Board)

Motion No. M13-100

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Sub-Committee Without Recommendation

130653 [Administrative Code - Health Service System Plans and Contribution Rates - Calendar Year 2014]

Sponsor: Farrell

Ordinance amending the Administrative Code, Chapter 16, Article XV, of Part 1, Section 16.703, regarding Board approval of health service system plans and contribution rates for calendar year 2014.

(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

130661 [Police Code - Aerial Signs and Advertising]

Ordinance amending the Police Code to prohibit the use of aircraft, self-propelled, or buoyant objects to display any sign or advertising device in the airspace over the 34th America's Cup course area; and making environmental findings. (Department of Economic and Workforce Development)

FINALLY PASSED by the following vote:

Ayes: 6 - Chiu, Cohen, Farrell, Mar, Tang, Wiener
Noes: 5 - Avalos, Breed, Campos, Kim, Yee

From the Land Use and Economic Development Without Recommendation

130570 [Planning Code, Zoning Map - Yerba Buena Center Mixed-Use Special Use District]

Ordinance amending the Planning Code and Zoning Map, by adding Section 249.71, to create the Yerba Buena Center Mixed-Use Special Use District (SUD) located at 706 Mission Street, Assessor's Block No. 3706, Lot No. 093 and portions of Lot No. 277, to facilitate the development of the 706 Mission Street, The Mexican Museum and Residential Tower Project, by modifying specific Planning Code regulations related to permitted uses, the provision of a cultural/museum use within the SUD, floor area ratio limitations, dwelling unit exposure, height of rooftop equipment, bulk limitations, and curb cut locations; amending the Zoning Map to add the SUD and increase the height of property in the SUD from 400 feet to 480 feet; and making environmental findings and findings of consistency with the General Plan. (Planning Commission)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

Supervisor Yee Excused from Voting

Supervisor Campos, seconded by Supervisor Farrell, moved that Supervisor Yee be excused from voting on File No. 130336. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Supervisor Kim Excused from Voting

Supervisor Campos, seconded by Supervisor Avalos, moved that Supervisor Kim be excused from voting on File No. 130336. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener
Excused: 2 - Kim, Yee

130336 [Settlement of Lawsuit - Rosemary Bosque - $49,505.70]

Ordinance authorizing settlement of the lawsuit filed by Rosemary Bosque against the City and County of San Francisco for $49,505.70; the lawsuit was filed on May 14, 2010 in San Francisco Superior Court, Case No. CGC-10-499909, entitled Bosque v. City and County of San Francisco. (City Attorney's Office)

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener
Excused: 2 - Kim, Yee

Supervisor Breed Excused from Voting

Supervisor Campos, seconded by Supervisor Cohen, moved that Supervisor Breed be excused from voting on File No. 130449. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 1 - Breed

Supervisor Cohen Excused from Voting

Supervisor Campos, seconded by Supervisor Avalos, moved that Supervisor Cohen be excused from voting on File No. 130449. The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 2 - Breed, Cohen

130449 [Settlement of Lawsuit - Jesse J. Byrd - $75,000]

Ordinance authorizing settlement of the lawsuit filed by Jesse J. Byrd, Malik Britt, and Rashad Conley against the City and County of San Francisco for $75,000; the lawsuit was filed on April 8, 2011, in U.S. District Court, Northern District of California, Case No. C11-1742-DMR; entitled Jesse J. Byrd, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Excused: 2 - Breed, Cohen

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130324 [Airport Lease Modification - United Air Lines, Inc. - Plots 16 and 16B - $12,040,710 Annually]

Resolution approving the execution of Modification No.5 to Lease L73-0066 at Plots 16 and 16B with United Air Lines, Inc. at San Francisco International Airport to: increase the ground rent to $12,040,710 per year; reduce the premises by 6.53 acres of land, resulting in a modified premises of approximately 124.13 acres, together with certain rights-of-way and easements; and grant a one-time option to relinquish up to thirty percent of the land comprising the Premises and equivalent land comprising the Employee Parking retroactively to July 1, 2013. (Airport Commission)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130332 [Airport Lease and Use Agreement - China Eastern Airlines Corporation Limited and Scandinavian Airlines of North America, Inc.]

Resolution approving the terms of 2011 Lease and Use Agreements between China Eastern Airlines Corporation Limited and Scandinavian Airlines of North America, Inc., respectively, and the City and County of San Francisco, acting by and through its Airport Commission, for a term ending in approximately eight years and two months. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130333 [Airport Lease Amendments - Concessions]

Resolution approving Amendment No. 2 to Boarding Area E Candy Kiosk Lease No. 08-0016 with Pacific Gateway Concessions, LLC; Terminal 3 Specialty Store Lease B No. 04-0167 with Marilla Chocolate Company; Airport Spa Lease No. 06-0242 with XpresSpa SF International, LLC; and Amendment No. 3 to Technology Stores and Accessories Lease No. 07-0108 with ILJ San Francisco, LLC, and the City and County of San Francisco, acting by and through its Airport Commission for a term of five years retroactively to May 1, 2012. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130334 [Airport Lease Agreement - Pay Phone - Pelican Communications, Inc. - 20% of Gross Revenue]

Resolution retroactively approving Amendment No. 1 to Lease No. 09-0229 with Pelican Communications, Inc., to lower rent to 20% of gross revenue for the period of December 1, 2012, through December 3, 2013. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130493 [Agreement - State Contract Funds - Community Behavioral Health Services - Not to Exceed $238,581,122]

Sponsor: Mayor

Resolution retroactively approving an agreement between the California Department of Health Care Services and Community Behavioral Health Services to provide specialty mental health services not to exceed $238,581,122 for the period of May 1, 2013, through April 30, 2018.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130496 [Accept and Expend Grant - Legal Educational Advocacy Program - $229,803]

Sponsors: Campos; Mar

Resolution authorizing the Public Defender's Office to retroactively accept and expend a grant in the amount of $229,803 from the Board of State and Community Corrections for the purposes of implementing a Legal Educational Advocacy Program at the Public Defender's Office for the period of January 1, 2013, through December 31, 2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130516 [Emergency Contract - HHP Holm Powerhouse Unit 1 - Not to Exceed $521,465.07]

Resolution approving an emergency public work contract of the Public Utilities Commission under San Francisco Administrative Code, Section 6.60, to replace the HHP Holm Powerhouse Unit 1 with a contract amount not to exceed $521,465.07. (Public Utilities Commission)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130569 [Lease Amendment - Oliver de Silva, Inc. - Sunol Valley Quarry Lease]

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to enter into an amendment to an existing quarry lease with Oliver de Silva, Inc., as Tenant, to add approximately 58 acres to the existing 308.5 leased premises located in the Sunol Valley, unincorporated Alameda County, with a term through the earlier of July 16, 2042, or completion of reclamation, pursuant to San Francisco Charter; adopting findings pursuant to the California Environmental Quality Act; and authorizing the General Manager of the San Francisco Public Utilities Commission to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution for a potential increase in royalties due to increased production.
(Public Utilities Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130617 [Design Agreement Amendment - Public Safety Building - Earthquake Safety Emergency Response Bond Program - $19,018,636.91]

Sponsor: Mayor

Resolution authorizing the Director of Public Works to execute an amendment to the design agreement in connection with the construction of a new public safety building under the Earthquake Safety Emergency Response Bond Program from $17,205,152 to $19,018,636.91 thereby increasing the amount by $1,813,484.91 through August 21, 2015.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130620 [Accept and Expend Grant - Restoration of the Copra Crane and Removal of Pile Supported Wharf - Pier 84 on Islais Creek - $616,534]

Sponsor: Mayor

Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of $616,534 from the California Coastal Conservancy for the restoration of the Copra Crane and removal of pile supported wharf at Pier 84 on Islais Creek for a period of August 1, 2013, through August 1, 2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130623 [Historical Property Contract - Jason H. Stein and Howard Stein - 201 Buchanan Street]

Sponsors: Breed; Wiener

Resolution under Administrative Code, Chapter 71, approving an historical property contract between Jason H. Stein and Howard Stein, the owners of 201 Buchanan Street, and the City and County of San Francisco; authorizing the Planning Director and the Assessor to execute the historical property contract.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130648 [Agreement - ARAMARK Correctional Services, LLC - Not to Exceed $19,659,606]

Resolution authorizing the Sheriff's Department to retroactively enter into a contract agreement between the City and County of San Francisco and ARAMARK Correctional Services, LLC, for inmate meal services for a five year term beginning July 1, 2012, with two one-year options exercisable by the Sheriff's Department, for an amount not to exceed $19,659,606. (Sheriff) (Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130674 [Accept and Expend Gift - Enterprise Zone Hiring Tax Credit Web Application Development - $16,000]

Sponsor: Mayor

Resolution authorizing the Office of Economic and Workforce Development to retroactively accept and expend an in-kind gift valued at $16,000 from Firmstep for the development of the web-based Enterprise Zone hiring tax credit application.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130675 [Accept and Expend Grant - California Tuberculosis Controller Association Project - $161,499]

Sponsor: Mayor

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $161,499 from the California Department of Public Health, Tuberculosis Control Branch, to participate in a program entitled California Tuberculosis Controller Association Project for the period of July 1, 2013, through June 30, 2014, and waiving indirect costs.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130676 [Accept and Expend Grant - Maternal, Child, and Adolescent Health FY2012-2013 Federal Grant Increase: Budget Revision 1 - $238,571]

Sponsor: Tang

Resolution authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $238,571 the original grant award amount of $1,457,719 was increased to $1,696,290 from California Department of Public Health to participate in a program entitled Maternal, Child, and Adolescent Health FY2012-2013 Federal Grant Increase: Budget Revision 1 for the period of January 1, 2013, through June 30, 2013.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130688 [Agreement - Golden Gate Petroleum - Not to Exceed $94,000,000]

Resolution authorizing the Purchaser and Director of Office of Contract Administration to execute an agreement with Golden Gate Petroleum for diesel, biodiesel, and gasoline fuel, for an amount not to exceed $94,000,000 for the term of September 1, 2013, through August 31, 2016, with two one-year options to extend for a total of five years, pursuant to Charter, Section 9.118(b). (Office of Contract Administration)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130704 [Agreement - Alliant Insurance Services, Inc. - Brokerage Services - Not to Exceed $19,520,840]

Resolution retroactively authorizing the Director of the Risk Management Division of the Office of the City Administrator to execute a brokerage and risk management consulting services agreement with Alliant Insurance Services, Inc., for a not to exceed value of $19,520,840 with a term of up to two years and one month with an option to extend the term for two additional two year terms, pursuant to San Francisco Charter, Section 9.118 for the period of June 1, 2013, through June 30, 2015. (City Administrator)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130709 [Refunding Certificates of Participation, Series 2013 - Not to Exceed $236,000,000]

Sponsors: Mayor; Farrell

Resolution authorizing the execution and delivery of Refunding Certificates of Participation, Series 2013 (Capital Projects) in one or more series in an aggregate principal amount not to exceed $236,000,000 to refinance in whole or in part certain certificates of participation the proceeds of which financed or refinanced various capital improvement projects of the City; approving the form of a Trust Agreement (including certain indemnities contained therein) between the City and the Trustee to be named therein; approving the form of four separate Facilities Leases between the City and the Trustee to be named therein relating to certain City-owned property; approving the form of four separate Lease Agreements (including certain indemnities contained therein) between the City and the Trustee to be named therein; approving the form of an Escrow Agreement (including certain indemnities contained therein) between the City and an Escrow Agent to be named therein; approving the form of one or more Official Notice(s) of Sale and one or more Notice(s) of Intention to Sell the Refunding Certificates of Participation; authorizing certain actions relating to the Refunding Certificates of Participation, if sold by negotiated sale and approving the form of one or more Purchase Contract(s) between the City and the Underwriter(s) to be named therein; approving the form of an Official Statement in preliminary and final form; approving the form of a Continuing Disclosure Certificate; authorizing City officials to take necessary actions in connection with the authorization, sale, execution and delivery of the Refunding Certificates of Participation; and ratifying previous actions taken in connection therewith.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130707 [Appropriation - FY2013-2014 Refunding Certificates of Participation - $241,014,548]

Sponsor: Mayor

Ordinance appropriating $236,000,000 of one or more series of Refunding Certificates of Participation proceeds, de-appropriating Series 2001A Certificates of Participation of prior reserve funds of $2,386,750 and re-appropriating Refunding Certificates of Participation Series 2013-R1 of $2,386,750, de-appropriating Series 2003 Certificates of Participation of prior reserve funds of $2,627,798 and re-appropriating Refunding Certificates of Participation Series 2013-R2 of $2,627,798, and placing these funds for a total amount of $241,014,548 for FY2013-2014 on Controller's reserve pending the sale of the Certificates of Participation in one or more series. (Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130424 [Approval of Official Statement for Certificates of Participation - Port Facilities Project]

Sponsor: Mayor

Resolution providing for the sale of Certificates of Participation (Certificates) evidencing undivided, proportionate interests in the right to receive certain rental payments to be made by the City under a Project Lease to finance capital projects at the Port of San Francisco; providing for the sale of the Certificates by competitive sale; approving the form and publication of an Official Notice of Sale and a Notice of Intention to Sell the Certificates; approving the form of a Preliminary Official Statement and the form and execution of an Official Statement relating to the sale of the Certificates; approving the form of a Continuing Disclosure Certificate; granting general authority to City officials to take necessary actions in connection with the execution, sale and delivery of the Certificates; approving modifications to documents; and ratifying previous actions taken in connection therewith.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130736 [Transfer of Administrative Jurisdiction - Pier 27]

Sponsor: Farrell

Resolution facilitating a lease-back for Certificates of Participation by authorizing transfers of administrative jurisdiction over Pier 27 from the Port Commission to the General Services Agency, Real Estate Division, and from the City back to the Port Commission, upon full payment of debt; approving a Memorandum of Understanding between the Port Commission and the City Controller regarding obligations arising from the Certificates of Participation; incorporating findings under the California Environmental Quality Act by reference; and adopting findings of consistency with the General Plan and the eight priority policies of Planning Code, Section 101.1.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130737 [Memoranda of Agreements - Treasure Island Development Authority and Yerba Buena Island Ramps Project - $81,700,000]

Sponsor: Mayor

Resolution retroactively approving two Memoranda of Agreements between the City, acting through the Treasure Island Development Authority and the San Francisco County Transportation Authority: 1) one for right of way services and the completion of engineering and design work, and authorizing the acceptance and subsequent transfer of real estate interests for the Yerba Buena Island Ramps Project; and 2) to complete the construction phases of the Yerba Buena Island Ramps Project; for a total of $81,700,000 for the period of July 1, 2013, through December 31, 2013; and making environmental review findings.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130745 [Ground Lease - 1100 Ocean Avenue, L.P. - Affordable Housing - $43,065,000]

Sponsor: Yee

Resolution approving and authorizing the Mayor's Office of Housing as Successor Housing Agency to the Redevelopment Agency to enter into a 99 year ground lease totaling $43,065,000, with 1100 Ocean Avenue, L.P., a California limited partnership, for the development and operation of affordable housing on certain real property located at 1100 Ocean Avenue; and making findings that the ground lease is in conformance with the California Environmental Quality Act, the General Plan, and the priority policies of Planning Code, Section 101.1.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130754 [Accept and Expend Grant - OneBayArea Grant Program - $17,026,221]

Sponsor: Mayor

Resolution authorizing the filing of an application for funding assigned to the Metropolitan Transportation Commission (MTC); committing any necessary matching funds; stating assurance to complete the projects; and authorizing the Department of Public Works to accept and expend $17,026,221 in OneBayArea Grant Program funds awarded through the MTC for the period of December 1, 2013, through December 30, 2016.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

From the Budget and Finance Committee Without Recommendation

130711 [Real Property Lease - 1740 Cesar Chavez Street - Potrero Investor I, LLC, and Potrero Investor II, LLC - $21,450 Monthly]

Sponsor: Cohen

Resolution authorizing a five year lease of approximately 11,000 square feet at 1740 Cesar Chavez Street from Potrero Investor I, LLC, and Potrero Investor II, LLC, for the Department of Human Resources at the monthly cost of $21,450 for the period of September 15, 2013, through September 15, 2018.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130743 [Agreement - Alstom Transportation, Inc. - Vendor Managed Inventory Services - Not to Exceed $39,158,000]

Sponsor: Wiener

Resolution authorizing the Director of Transportation of the Municipal Transportation Agency to execute the Agreement with Alstom Transportation, Inc., for vendor managed inventory services to provide rail parts and supplies for an initial term of two years with an option to extend the term for up to three additional one year terms at the Director of Transportation's sole discretion for a total contract amount not to exceed $39,158,000 for the period of August 1, 2013, through July 31, 2015.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

120966 [Administrative Code - Healthy Food Retailer Incentives Program]

Sponsors: Mar; Kim, Cohen, Chiu and Campos

Ordinance amending the Administrative Code, by adding Chapter 59, Sections 59.1-59.9, to establish a Healthy Food Retailer Incentives Program to oversee and coordinate the City's incentive and assistance programs for Healthy Food Retailers.

Supervisor Campos requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130712 [Interim Zoning Controls - Specific Formula Retail Uses on Market Street, from 6th Street to Van Ness Avenue]

Sponsors: Kim; Campos

Resolution imposing interim zoning controls requiring conditional use authorization for formula retail uses, as defined, on Market Street, from 6th Street to Van Ness Avenue, subject to specified exceptions, for 18 months; and making findings, including findings of consistency with the priority policies of Planning Code, Section 101.1, and environmental findings.
(Economic Impact)

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Neighborhood Services and Safety Committee

121016 [Liquor License - 3910 Geary Boulevard]

Resolution determining that the issuance of a Type 48 on-sale general public premises license to Steve Ly for STCC, Inc., dba Kama Lounge, located at 3910 Geary Boulevard (District 1), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130446 [Liquor License Transfer - 2675 Geary Boulevard]

Resolution determining that the transfer of a Type 21 off-sale general license from 500-2nd Avenue to 2675 Geary Boulevard (District 2), to Beth Aboulafia for Target Corporation, dba City Target, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

130622 [Initiative Ordinance - Administrative Code - San Francisco Family Friendly Workplace Ordinance]

Sponsors: Chiu; Cohen, Mar, Campos and Yee

Motion ordering submitted to the voters an ordinance amending the Administrative Code to: allow San Francisco-based employees to request flexible or predictable working arrangements to assist with caregiving responsibilities, subject to the employer's right to deny a request based on business reasons; prohibit adverse employment actions based on caregiver status; prohibit interference with rights or retaliation against employees for exercising rights under the Ordinance; require employers to post a notice informing employees of their rights under the Ordinance; require employers to maintain records regarding compliance with the Ordinance; authorize enforcement by the Office of Labor Standards Enforcement, including the imposition of remedies and penalties for a violation, and an appeal process for an employer to an independent hearing officer; authorize waiver of the provisions of the Ordinance in a collective bargaining agreement; and making environmental findings, to the voters of the City and County of San Francisco at an election to be held on November 5, 2013.

Supervisor Chiu, seconded by Supervisor Avalos, moved that this Motion be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130738 [Appointment, Entertainment Commission - Naomi Akers]
Motion appointing Naomi Akers, term ending July 1, 2017, to the Entertainment Commission. (Clerk of the Board)

Motion No. M13-103

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Cohen was noted absent at 2:54 p.m. and noted present at 3:10 p.m.

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Tang, seconded by Supervisor Yee, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Tang introduced, welcomed, and presented a Certificate of Honor to William Sifferman, Chief Probation Officer, in recognition of his accomplishments, and for his distinquished service to the City and County of San Francisco upon his retirement. Supervisors Campos, Avalos, Mar, and Chiu shared in this commendation.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

130669 [Hearing - Special Assessment of Liens for Assessment of Cost]
Hearing of persons interested in or objecting to the proposed Resolution confirming report of Delinquent Charges for Code Enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Building Code, Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, 108A, and 110A - Tables 1A-K and 1A-G, submitted by the Director of the Department of Building Inspection for Services rendered by said Department of costs thereof having accrued pursuant to code violations referenced above. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to assessments as referenced in File No. 130670. Alan Davison and John Gershwin (Department of Building Inspection) provided an overview of the assessments and responded to questions raised throughout the discussion. Ron Mendovar (1267 Rhode Island Street); spoke objecting to the proposed assessments. Douglas Yepp; spoke neither in support or objection to the assessments. Supervisors Wiener, Breed, Avalos, and Campos inquired about 135 Buelah Street and various other properties within their respective districts. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

130670 [Special Assessment of Liens for Assessment of Cost]

Resolution confirming report of delinquent charges for code enforcement cases with delinquent assessment of costs, and fees pursuant to the provisions of Building Code, Sections 102A.3, 102A.4, 102A.6, 102A.12, 102A.16, 102A.17, 102A.18, 102A.19, 102A.20 et seq., 103A.3.3, Section 108A, and Section 110A - Tables 1A-K and 1A-G, submitted by the Director of the Department of Building Inspection for services rendered by said department of costs thereof having accrued pursuant to code violations referenced above. (Building Inspection Department)

Alan Davison (Department of Building Inspection) indicated that the following addresses be removed from the accompanying report due to recent receipt of payment: 3527-18th St.; 3560-21st St.; 2830-22nd St.; 1251-24th Ave.; 2337-25th St.; 2337-25th St; 18 to 20-30th St.; 2067-43rd Ave.; 2095-46th Ave.; 277 Arlington St.; 653 Bay St.; 653-667 Bay St.; 722 Brannan St.; 25 Brompton St.; 300 Buchanan St.; 611 Burrows St.; 606V Capp St.; 1466-1468 Chestnut St.; 601 Columbus Ave.; 720 Columbus Ave.; 370 De Haro St.; 120 Dolores St.; 2512-16 Folsom St.; 542 Geary St.; 1060 Golden Gate Ave.; 90 Golden Gate Ave.; 735-739 Greenwich St.; 587 Haight St.; 1363 Hampshire St.; 1380 Hampshire St.; 2345 Harrison St.; 557 Howard St.; 625 Hyde St.; 179 Julian St.; 179 Julian St.; 179 Julian St.; 355 Laguna St.; 2335 Larkin St.; 729 Mason St.; 22 Meda Ave.; 37 Mirabel Ave.; 2374 Mission St.; 936 Mission St.; 223 Monterey Bl.; 1359 Oak St.; 2027-2031 Oak St.; 217 Onondaga Ave.; 217 Onondaga Ave.; 3927 Pacheco St.; 1087 Palou Ave.; 1526 Palou Ave.; 314 Park St.; 2815 Polk St.; 2815 Polk St.; 1325 Portola Dr.; 455 Ramsell St.; 1479 Revere Ave.; 1537 Revere Ave.; 1537 Revere Ave.; 148 San Juan Ave.; 141 Seville St.; 1286-1292 South Van Vess Ave.; 342 Sussex St.; 928 Toland St.; 928 Toland St.; 1108 Treat Ave.; 984 Valencia St.; 219 Whitney St.; 365 Wilde Ave.; 1760 Yosemite Ave.; 822 Arkansas Street; 130 Buelah Street; 51 Linda Street; 48 Majestic Avenue; 583 Maple Street; 172 Raymond Avenue; 379 Vienna Street. The amendments to the accompanying report, as provided by the Department of Building Inspection, included in File No. 130670. Supervisor Kim, seconded by Supervisor Mar, moved to receive the amendments to the accompanying report. The amendments were accepted without objection.

Supervisor Wiener, seconded by Supervisor Avalos, moved that this Resolution be AMENDED on Page 1, Line 11, by deleting 'after the public hearing before'; on Line 12, by adding 'held a public hearing'; on Page 18; by deleting 'this Board does hereby confirm that the referenced Report of Delinquent Charges located in the Office of the Clerk of the Board of Supervisors, File No. 130670 and by reference made a part hereof, and be it'; beginning on Line 18, by adding 'RESOLVED, That the Board directs the Department of Building Inspection to review the Report of Delinquent Charges located in the Office of the Clerk of Board of Supervisors, File No. 130670, and to remove from that list any residences with assessments based on the addition of units without permit. The Department of Building Inspection shall provide a complete, final list to the Clerk of the Board by no later than August 2, 2013. It is the intent of the Board that the City will not impose liens based on this Resolution against any residences with additional units added without permit; and'; on Page 2, Line 5, by changing 'its' to 'the'; on Line 5, by adding 'as amended by the Department of Building Inspection to remove the properties listed above'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ADOPTED AS AMENDED, after accepting the amendments to the accompanying report, by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Farrell, seconded by Supervisor Mar, moved to consolidate the two hearing matters (File Nos. 130721 and 130725) related to the CEQA and Conditional Use Appeals for 4216 California Street into one single hearing. The motion passed by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

130721 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 4216 California Street]

Hearing of persons interested in or objecting to the Planning Commission's determination dated June 6, 2013, that the project located at 4216 California Street (Assessor's Block No. 1364, Lot No. 019) is exempt from environmental review under the California Environmental Quality Act (CEQA); the proposed work involves removing an existing micro-site and installing a wireless telecommunications services facility consisting of up to nine panel antennas on the roof behind radio-frequency transparent screen walls with equipment located within a ground floor storage area of an existing medical office building as part of AT&T Mobility's Wireless telecommunications network within a NC-1 (Neighborhood Commercial - Cluster) Zoning District and a 40-X Height and Bulk District. (District 2) (Appellant: Wendy Aragon, on behalf of the Richmond District Democratic Club) (Filed July 8, 2013). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Doug Loranger (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Eunice Zoon; Anastasia; Debra Malta; Vince Malta; Van; Wendy Porta; Wayne Fromage; Dr. Kenneth Feirman; Sherry Pearman; Joan Minion; Charles Dalwin; Steven Krolik; Jackson Kent; Ann Shay; Dr. Ma; L.P. Karp; spoke in support of the appeal. AnMarie Rodgers, Omar Masry, and Joy Navarrete (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Mark Blake (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, agreed to a voluntary modification relating to raising the height from 6" to 18" for the building permit, and further requested the Board to uphold the decision of the Planning Commission. Martin Fried; Linda Hong; David Elliott Lewis; Beth Upsteen; David O'Jaleen; spoke in support of the project and in opposition to the appeal. Doug Loranger (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

130722 [Affirming the Exemption Determination - 4216 California Street]

Motion affirming the determination by the Planning Department that a project located at 4216 California Street is exempt from environmental review. (Clerk of the Board)

Motion No. M13-101

Supervisor Farrell, seconded by Supervisor Avalos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 1 - Mar

130723 [Reversing the Exemption Determination - 4216 California Street]

Motion reversing the determination by the Planning Department that a project located at 4216 California Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 1 - Mar

130724 [Preparation of Findings to Reverse the Exemption Determination - 4216 California Street]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that a project located at 4216 California Street is exempt from environmental review. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Avalos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 1 - Mar

SPECIAL ORDER 3:00 P.M.

130725 [Public Hearing - Appeal of Conditional Use - 4216 California Street]

Hearing of persons interested in or objecting to the Planning Commission's approval on June 6, 2013, of a Conditional Use Authorization identified as Planning Case No. 2010.1034C, by its Motion No. 18898, pursuant to Planning Code Sections 303(c) and 710.83, to remove an existing micro-site and install a wireless telecommunications services facility consisting of up to nine panel antennas on the roof behind radio-frequency transparent screen walls with equipment located within a ground floor storage area of an existing medical office building, as part of AT&T Mobility's wireless telecommunications network within a NC-1 (Neighborhood Commercial - Cluster) Zoning District and a 40-X Height and Bulk District, on property located at: 4216 California Street, Assessor's Block No. 1364, Lot No. 019. (District 2) (Appellant: Wendy Aragon, on behalf of the Richmond District Democratic Club) (Filed July 8, 2013). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Doug Loranger (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Eunice Zoon; Anastasia; Debra Malta; Vince Malta; Van; Wendy Porta; Wayne Fromage; Dr. Kenneth Feirman; Sherry Pearman; Joan Minion; Charles Dalwin; Steven Krolik; Jackson Kent; Ann Shay; Dr. Ma; L.P. Karp; spoke in support of the appeal. AnMarie Rodgers, Omar Masry, and Joy Navarrete (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Mark Blake (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, agreed to a voluntary modification relating to raising the height from 6" to 18" for the building permit, and further requested the Board to uphold the decision of the Planning Commission. Martin Fried; Linda Hong; David Elliott Lewis; Beth Upsteen; David O'Jaleen; spoke in support of the project and in opposition to the appeal. Doug Loranger (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

130726 [Approving the Conditional Use Authorization Decision - 4216 California Street]
Motion approving decision of the Planning Commission by its Motion No. 18898, approving Conditional Use Authorization identified as Planning Case No. 2010.1034C on property located at 4216 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M13-102

Supervisor Farrell, seconded by Supervisor Yee, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 1 - Mar

130727 [Disapproving the Conditional Use Authorization Decision - 4216 California Street]
Motion disapproving decision of the Planning Commission in Motion No. 18898 to approve Conditional Use Authorization identified as Planning Case No. 2010.1034C on property located at 4216 California Street. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Yee, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 1 - Mar

130728 [Preparation of Findings Related to the Conditional Use Authorization - 4216 California Street]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2010.1034C on property located at 4216 California Street. (Clerk of the Board)

Supervisor Farrell, seconded by Supervisor Yee, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Noes: 1 - Mar

COMMITTEE REPORTS

Recommendation of the Neighborhood Services and Safety Committee

130520 [Liquor License Transfer - 810 Mission Street]
Resolution determining that the premise-to-premise transfer of a Type 21 off-sale general license from 810 Mission Street to 810 Mission Street (District 6), to Sylvain Montassier for TamerSF, Inc., dba SF Deli and Wine, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4 . (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

130756 [Major Street Encroachment - Chinese Hospital - 835 Jackson Street]

Sponsor: Chiu

Resolution granting revocable permission to the Chinese Hospital to occupy a portion of the public right-of-way to construct, install, and maintain the following infrastructure improvements: one 5,000 gallon fuel oil storage tank and four PG&E transformer vaults at the Jackson Street frontage, a new 10" sewer line, under the sidewalk and parallel to the property line, two 6,000 gallon sewer holding tanks, one new rain water storage tank, with its location to be determined by Public Utilities Commission, and two pump station vaults at the James Place frontage, for hospital operations at 835 Jackson Street (Assessor's Block No. 0192, Lot No. 041), conditioned upon the payment of an annual assessment fee of $1,913; and making environmental findings, findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
David Wilmer; expressed concerns relating to wireless technology.
Emil Lawrence; expressed various concerns relating to taxi service.
Christopher Fulkerson; expressed concerns relating to taxi service.
Douglas Yepp; expressed various concerns relating to investigation interference and child pornography.
John; expressed various concerns relating to education.
Betty Tillman; shared in poem certain concerns with the Board relating to safety of women.
Katia Hawkins; expressed concerns relating to African-American emergency conference.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130748 [Greater Transparency for the Kaiser Healthcare Rate Increase and Urging the California State Legislature to Pass Senate Bill 746]

Sponsors: Farrell; Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener and Yee

Resolution urging Kaiser to immediately begin negotiating with the Health Service System toward a fair and transparent pricing model that provides fee schedule transparency; requesting the Health Service System to report back to the Board of Supervisors on the progress of negotiations; and urging the California State Legislature to pass Senate Bill 746 to require health plans to disclose data.

ADOPTED

130768 [Cayuga Park Day - August 17, 2013]

Sponsors: Avalos; Campos

Resolution recognizing the grand reopening of Cayuga Park, commending the Recreation and Park Department, Department of Public Works, Arts Commission, Cayuga Improvement Association, and the entire project team for their hard work and commitment to San Francisco's parks and its residents, and declaring August 17, 2013, as Cayuga Park Day in the City and County of San Francisco.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED

130769 [Multifamily Housing Revenue Bonds - Western Park Apartments - 1280 Laguna Street - Not to Exceed $35,000,000]

Sponsor: Breed

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $35,000,000 for Western Park Apartments, 1280 Laguna Street, San Francisco, California 94115; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $35,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

ADOPTED

130770 [Endorsing the 2013 Annual Language Access Ordinance Compliance Report]

Sponsors: Mar; Chiu and Campos

Resolution endorsing "Advancing Language Access in San Francisco: Language Access Ordinance Annual Compliance Summary Report, March 2013," issued by the Office of Civic Engagement and Immigrant Affairs.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED

130771 [Cabrillo Playground Day - August 3, 2013]

Sponsor: Mar

Resolution declaring August 3, 2013, Cabrillo Playground Day and celebrating the grand opening of the new Cabrillo Playground and Clubhouse in the City and County of San Francisco.

ADOPTED

130760 [Final Map 7378 - 2200-2210 Market Street]

Motion approving Final Map 7378, a 22 Residential Unit and Two Commercial Unit, Mixed-Use Condominium Project, located at 2200-2210 Market Street being a subdivision of Assessor's Block No. 3560, Lot No. 001, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-104

APPROVED

130761 [Final Map 6333 - 178 Townsend Street]

Motion approving Final Map 6333, a 94 Residential Unit and Two Commercial Unit, Mixed-Use Condominium Project, located at 178 Townsend Street being a subdivision of Assessor's Block No. 3788, Lot No. 012, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-105

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 130753 be severed so that it may be considered separately.

130753 [Authorizing Preparation of Proponent/Opponent Ballot Arguments and Rebuttal Ballot Arguments for Submittal to the Voters at the November 5, 2013, Consolidated General Municipal Election]

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the November 5, 2013, Consolidated General Municipal Election. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Motion No. M13-106

APPROVED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

[Serious Injury Finding]

Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Breed, seconded by Supervisor Campos, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

[Brown Act Finding]

Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Breed, seconded by Supervisor Cohen, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130804 [Supporting the Historic Marcus Books-Jimbo's Bop Building]

Sponsors: Breed; Cohen, Campos, Kim, Chiu, Farrell, Avalos and Mar

Resolution supporting the preservation of the historic Marcus Books-Jimbo's Bop building on Fillmore Street and urging its current owners to sell it to an owner who will uphold the building's community serving purposes.

The President inquired as to whether any member of the public wished to address the Board relating to File No. 130804. Ken Johnson; Mary Johnson; Linda Thomas; Gail Meadows; Katia Hawkins; David Cee; Karen Kai; Eugene Davis; Emil Lawrence; Betty Tillman; Rick; Male Speaker; Douglas Yepp; spoke in support of the Historic Marcus-Books-Jimbo's Bop Building. There were no other speakers. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130695 [Settlement of Lawsuit - Larry Jacobs - $175,000]

Ordinance authorizing settlement of the lawsuit filed by Larry Jacobs against the City and County of San Francisco for $175,000; the lawsuit was filed on January 27, 2011, in the California Superior Court, San Francisco Branch, Case No. CGC-11-507691, entitled Larry Jacobs v. City and County of San Francisco. (City Attorney's Office)

07/22/13; RECEIVED FROM DEPARTMENT.

07/30/13; RECEIVED AND ASSIGNED to Rules Committee.

130696 [Settlement of Lawsuit - Jessica Orozco - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Jessica Orozco against the City and County of San Francisco for $50,000; the lawsuit was filed on March 13, 2012, in San Francisco Superior Court, Case No. CGC-12-519124; entitled Jessica Orozco v. City and County of San Francisco, et al. (City Attorney's Office)

07/22/13; RECEIVED FROM DEPARTMENT.

07/30/13; RECEIVED AND ASSIGNED to Rules Committee.

130697 [Settlement of Lawsuit - Andrew Melomet - $40,000]

Ordinance authorizing settlement of the lawsuit filed by Andrew Melomet against the City and County of San Francisco for $40,000; the lawsuit was filed on February 2, 2012, in California Superior Court, San Francisco Branch, Case No. CGC-12-518471, entitled Andrew Melomet v. City and County of San Francisco Human Services Agency; said lawsuit was removed to United States District Court for the Northern District of California, Case No. C 12-03101 EDL. (City Attorney's Office)

07/22/13; RECEIVED FROM DEPARTMENT.

07/30/13; RECEIVED AND ASSIGNED to Rules Committee.

130757 [Settlement of Lawsuit - Joseph P. Cuviello, Deniz Bolbol, and Alex Felsinger - $180,000]

Ordinance authorizing settlement of the lawsuit filed by Joseph P. Cuviello, Deniz Bolbol, and Alex Felsinger against the City and County of San Francisco for $180,000 in the United States District Court for the Northern District of California, Case No. CV-12-3034-EMC; entitled Cuviello et al. v. City and County of San Francisco, et al. (City Attorney's Office)

07/18/13; RECEIVED FROM DEPARTMENT.

07/30/13; RECEIVED AND ASSIGNED to Rules Committee.

130758 [Settlement of Lawsuit - Ana Pichardo - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Ana Pichardo against the City and County of San Francisco for $50,000; the lawsuit was filed on May 9, 2012, in United States District Court, Case No. C12-4042; entitled Ana Pichardo v. City and County of San Francisco, et al. (City Attorney's Office)

07/18/13; RECEIVED FROM DEPARTMENT.

07/30/13; RECEIVED AND ASSIGNED to Rules Committee.

130759 [Settlement of Lawsuit - Bank of America N.A. - $975,000]

Ordinance authorizing settlement of the lawsuit filed by Bank of America N.A. against the City and County of San Francisco for $975,000; the lawsuit was filed on September 9, 2010, in San Francisco Superior Court, Case No. CGC-10-503389; entitled Bank of America N.A. v. City and County of San Francisco, et al. (City Attorney's Office)

07/18/13; RECEIVED FROM DEPARTMENT.

07/30/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

130755 [Settlement of Claim - Beth Mondry - $175,000]

Resolution approving the proposed settlement of claim filed by Beth Mondry against the City and County of San Francisco for $175,000; claim was filed on November 13, 2012. (City Attorney's Office)

07/22/13; RECEIVED FROM DEPARTMENT.

07/30/13; RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:17 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, September 3, 2013 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT

SEP - 6 2013

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:30 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, and Scott Wiener

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, Supervisors Avalos, Campos, and Yee were noted absent. There was a quorum.

Supervisor Yee Excused from Voting

Supervisor Kim, seconded by Supervisor Farrell, moved that Supervisor Yee be excused from voting. The motion carried by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee
Absent: 2 - Avalos, Campos

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Breed, seconded by Supervisor Mar, moved to approve the Special Board Meeting Minutes at the Budget and Finance Committee of June 12, 2013, June 21, 2013, and June 27, 2013, Recessed Special Board Meeting Minutes at the Budget and Finance Committee of June 27, 2013, and the Board Meeting Minutes of July 9, 2013, July 16, 2013, July 23, 2013, and July 30, 2013. The motion carried by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee
Absent: 2 - Avalos, Campos

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from the Acting Mayor Mark Farrell on August 22, 2013, communicating the Declaration of Local Emergency, relating to the Rim Fire (Stanislaus National Forest Area), pursuant to Charter, Section 3.100, and Administrative Code, Chapter 7, which empowers the Mayor to proclaim the existence of a local emergency, subject to ratification by the Board of Supervisors. Further communicating that this matter was placed on the Without Reference to Committee Agenda on today's meeting.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

130707 [Appropriation - FY2013-2014 Refunding Certificates of Participation - $241,014,548]

Sponsor: Mayor

Ordinance appropriating $236,000,000 of one or more series of Refunding Certificates of Participation proceeds, de-appropriating Series 2001A Certificates of Participation of prior reserve funds of $2,386,750 and re-appropriating Refunding Certificates of Participation Series 2013-R1 of $2,386,750, de-appropriating Series 2003 Certificates of Participation of prior reserve funds of $2,627,798 and re-appropriating Refunding Certificates of Participation Series 2013-R2 of $2,627,798, and placing these funds for a total amount of $241,014,548 for FY2013-2014 on Controller's reserve pending the sale of the Certificates of Participation in one or more series. (Fiscal Impact)

FINALLY PASSED

Recommendation of the Government Audit and Oversight Committee

130176 [Accept and Expend Grant - FY2007 Supplemental Port Security - $376,700]

Sponsor: Chiu

Resolution authorizing the San Francisco Fire Department to retroactively accept and expend a grant in the amount of $376,700 from the Federal Emergency Management Agency for the FY2007 Supplemental Port Security Grant Program for assets to enhance the Fire Department's water-based response capabilities and increase its protection of the Port of San Francisco and the San Francisco Bay for the period of October 1, 2007, through September 30, 2012.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 8 - Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee
Absent: 2 - Avalos, Campos

Supervisors Avalos and Campos were noted present at 2:15 p.m.

Severed from the Consent Agenda

Supervisor Mar requested that File No. 120966 be severed so that it may be considered separately.

Recommendation of the Land Use and Economic Development Committee

120966 [Administrative Code - Healthy Food Retailer Incentives Program]
Sponsors: Mar; Kim, Cohen, Chiu and Campos

Ordinance amending the Administrative Code, by adding Chapter 59, Sections 59.1-59.9, to establish a Healthy Food Retailer Incentives Program to oversee and coordinate the City's incentive and assistance programs for Healthy Food Retailers.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

There were no items.

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Kim, seconded by Supervisor Mar, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Marc Caswel of the San Francisco Bicycle Coalition in recognition of his accomplishments upon his departure from San Francisco and shared in support for his new endeavor of advocacy in Los Angeles. Supervisors Chiu, Avalos, Breed, Campos, and Mar shared in this commendation.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Supervisor Farrell was noted absent at 3:09 p.m. and noted present at 3:17 p.m.
Supervisor Campos was noted absent at 3:09 p.m. and noted present at 3:17 p.m.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Ray Hartz; expressed concerns relating to the SF Public Library, government, and enforcement.
Emil Lawrence; expressed concerns relating to fines for taxi drivers.
Peter Warfield; expressed concerns relating to new books and the SF Public Library.
Eugene Gordon, Jr.; expressed various concerns.
Stan Adler; expressed support relating to underground utilities.
Susan Starr; spoke in memory of Ruth Asawa.
Aiko Cuneo; spoke in memory of Ruth Asawa.
Diane Kirkville; expressed various concerns relating to Parkmerced.
Male Speaker; expressed various religious concerns.
Vladimir Dess; expressed various concerns relating to Parkmerced and appeal process.
Julian Lagos; expressed various concerns relating to Parkmerced and appeal process.
Jenny Zhang; expressed various concerns relating to organ harvesting in China.
Baoyun Li; expressed various concerns relating to organ harvesting in China.
Vivian/Christina; expressed various concerns relating to organ harvesting in China.
Dafang Wang; expressed various concerns relating to organ harvesting in China.
Robert Livingston; expressed concerns relating to war.
Male Speaker; expressed various concerns relating to organ harvesting in China.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130798 [Final Map 7282 - 401 Grove Street]

Motion approving Final Map 7282, a 63 Residential Unit and Eight Commercial Unit, Mixed-Use Condominium Project, located at 401 Grove Street being a subdivision of Assessor's Block No. 0808, Lot No. 036, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-107

APPROVED

130815 [Final Map 7414 - 1717-17th Street]

Motion approving Final Map 7414, a Two Lot Subdivision, Parcel "A" will contain 20 Residential Condominium Units and Five Commercial Condominium Units, Parcel "B" will contain 21 Residential Condominium Units and Five Commercial Condominium Units, each being a Mixed-Use Condominium Project on a single lot, located at 1717-17th Street being a subdivision of Assessor's Block No. 3980, Lot No. 008, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-108

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Farrell requested that File No. 130809 be severed so that it may be considered separately.

130809 [Concurring in Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area]

Motion concurring in the August 22, 2013, Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

Motion No. M13-109

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Wiener, seconded by Supervisor Campos, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Wiener, seconded by Supervisor Campos, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

130824 ["A Day of Remembrance Honoring the Life of Jose Julio Sarria" - September 6, 2013]

Sponsors: Wiener; Campos and Chiu

Resolution honoring the life of Jose Julio Sarria and declaring September 6, 2013, to be "A Day of Remembrance Honoring the Life of Jose Julio Sarria" in the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to "A Day of Remembrance Honoring the Life of Jose Julio Sarria" as referenced in File No. 130824. There were no speakers. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Excused: 1 - Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130799 [Administrative Code - Airport Capital Improvement Promotion and Event Fund]

Ordinance amending the Administrative Code, Section 10.100-18, to establish a special fund to receive donations and authorize expenditures for the purpose of holding events to promote the opening of major capital improvement projects at the San Francisco International Airport; and deleting obsolete provisions. (Airport Commission)

08/06/13; RECEIVED FROM DEPARTMENT.

09/03/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/3/2013.

130803 [Settlement of Lawsuit - Lloyd O'Neil - $185,000]

Ordinance authorizing the settlement of the lawsuit filed by Lloyd O'Neal against the City and County of San Francisco for $185,000; the lawsuit was filed on September 29, 2011, in San Francisco Superior Court, Case No. CGC 11-514739; entitled Lloyd O'Neal v. City and County Of San Francisco. (City Attorney's Office)

07/29/13; RECEIVED FROM DEPARTMENT.

09/03/13; RECEIVED AND ASSIGNED to Rules Committee.

130814 [Public Works Code - Control of Construction Site Runoff]

Ordinance amending the Public Works Code to protect water quality by controlling the discharge of sediment or other construction pollutants from construction sites and preventing erosion and sedimentation due to construction activities; and making environmental findings. (Public Utilities Commission)

08/23/13; RECEIVED FROM DEPARTMENT.

09/03/13; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 10/3/2013.

PROPOSED RESOLUTIONS

130776 [Agreement - Golden Gate Park Golf Foundation - $225,000 Annual Base Rent]

Resolution authorizing the General Manager of the Recreation and Park Department to execute a five-year lease, with one two-year option to extend, with the Golden Gate Park Golf Foundation for the management and operation of the clubhouse and golfing operations at Golden Gate Park Golf Course with an annual base rent of $225,000. (Recreation and Park Department)

07/25/13; RECEIVED FROM DEPARTMENT.

09/03/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130777 [Lease - American Airlines, Inc. - $4,355,869.00 Annually]

Resolution approving and authorizing the execution of Lease No. L13-0071 for a portion of the SuperBay Hangar and appurtenant land to be occupied by American Airlines, Inc., at Plot 40 at the San Francisco International Airport for $4,355,869.00 annually for a term of three-years with two one-year options. (Airport Commission)

08/01/13; RECEIVED FROM DEPARTMENT.

09/03/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130778 [Lease Amendment - Multiple Companies - Rental Car Center Operations Lease Agreements]

Resolution approving Amendment No. 2 of the Rental Car Center Operations Lease Agreements with The Hertz Corporation, Avis Budget Car Rental, LLC, EAN-Northern California, LLC, DTG Operations, Inc., and Fox Rent A Car, Inc. (Airport Commission)

08/02/13; RECEIVED FROM DEPARTMENT.

09/03/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130779 [Lease - American Express Travel Related Services Company, Inc. - $1,515,475.37 Monthly]

Resolution approving the Terminal 3 Common Use Club Lease between American Express Travel Related Services Company, Inc., and the City and County of San Francisco, acting by and through its Airport Commission for a ten-year term with an annual rent of $1,515,475.37 for FY 2013-2014. (Airport Commission)

08/02/13; RECEIVED FROM DEPARTMENT.

09/03/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130797 [Agreement - Dominion Voting Systems, Inc. - Not to Exceed $2,264,800]

Resolution approving an amendment to the existing contract with the City and Dominion Voting Systems, Inc., through the Department of Elections, for an amount not to exceed $2,264,800 and to extend the term of the contract through December 10, 2016. (Elections Department)

08/05/13; RECEIVED FROM DEPARTMENT.

09/03/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130800 [Airport Concession Domestic Food and Beverage Lease - Burger King Corporation/Gate 74, Inc. - $72,720 Minimum Annual Guarantee]

Resolution approving Amendment No.1 to the Domestic Terminal Food and Beverage Lease No. 03-0189 between Burger King Corporation and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten-years with a minimum annual guarantee of $72,720 and the assignment of Lease No. 03-0189 from Burger King Corporation to Gate 74, Inc. (Airport Commission)

08/05/13; RECEIVED FROM DEPARTMENT.

09/03/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130801 [Contract Amendment - Inmate Welfare Fund - In Excess of $10,000,000]

Resolution authorizing the Sheriff's Department to retroactively amend the existing contract for inmate telephone services, which will result in an anticipated commission to the Inmate Welfare Fund of more than $10,000,000 over a five-year period. (Sheriff)

08/14/13; RECEIVED FROM DEPARTMENT.

09/03/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130810 [Contract Amendment - Cornerstone Technology Partners, JV - $22,820,000]

Resolution authorizing the Office of Contract Administration to enter into the Fourth Amendment between the City and Cornerstone Technology Partners, JV (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from $12,490,000 to $22,820,000 for the term ending December 31, 2013. (Office of Contract Administration)

08/19/13; RECEIVED FROM DEPARTMENT.

09/03/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130811 [Contract Amendment - En Pointe Technology Sales, Inc. - $64,810,000]

Resolution authorizing the Office of Contract Administration to enter into the Seventh Amendment between the City and En Pointe Technology Sales, Inc. ("En Pointe," part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from $54,640,000 to $64,810,000 for the term ending December 31, 2013. (Office of Contract Administration)

08/19/13; RECEIVED FROM DEPARTMENT.

09/03/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130812 [Contract Amendment - CCT Technologies, Inc., dba ComputerLand of Silicon Valley - $43,850,000]

Resolution authorizing the Office of Contract Administration to enter into the Fifth Amendment between the City and CCT Technologies, Inc., dba ComputerLand of Silicon Valley (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from $34,950,000 to $43,850,000 for the term ending December 31, 2013. (Office of Contract Administration)

08/19/13; RECEIVED FROM DEPARTMENT.

09/03/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130813 [Contract Amendment - Xtech - $79,830,000]

Resolution authorizing the Office of Contract Administration to enter into the Seventh Amendment between the City and Xtech (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from $68,380,000 to $79,830,000 for the term ending December 31, 2013. (Office of Contract Administration)

08/19/13; RECEIVED FROM DEPARTMENT.

09/03/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:09 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, September 10, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:30 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

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Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, Supervisor Wiener was noted absent. There was a quorum.

Supervisor Wiener was noted present at 2:09 p.m.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

There were none.

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

130816 [Formal Policy Discussions - September 10, 2013]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 1, 3, 5, 9, and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mayor Lee - As you know, San Francisco has set ambitious goals to combat climate change. In many ways, the City is making great strides in this direction, from increasing bicycling, to pursuing zero waste goals, to hiring a new, excellent environmental policy advisor in Rodger Kim who has a strong background in environmental justice and community engagement. However, the Public Utilities Commission has repeatedly failed to set rates for CleanPowerSF, the most impactful local proposal yet designed to curb carbon emission. This program was adopted by the Board of Supervisors, the legislative body of the City. However, there are some allegations that your office is stalling its implementation. What specifically are you doing, as the City's head executive, to implement this policy in a timely fashion? (Supervisor Mar, District 1)

2. Mr. Mayor, can you please outline your objections to the CleanPowerSF program as approved last year on an vote 8-3 by the Board of Supervisors? (Supervisor Chiu, District 3)

3. Recognizing the constraints imposed by state law, particularly with respect to opt-out provisions, how would a clean power program need to be structured in order for you to support it? Are you willing to work with the Board of Supervisors, and have your staff and commissioners work with the Board of Supervisors, to revise CleanPowerSF so that you can support it? Can we come to the table and make clean power a reality without any further delay? (Supervisor Breed, District 5)

4. The Board of Supervisors has been very supportive of CleanPowerSF. Do you think it is appropriate for a City Commission to go against the policy the Board of Supervisors set when it approved CleanPowerSF? (Supervisor Campos, District 9)

5. Days after the one-year anniversary of the 2010 PG&E San Bruno pipeline explosion, you called PG&E a "great local corporation" and a "great company that gets it." However, the examples of PG&E's immoral, illegal, and greedy behavior are legion:

- PG&E avoided admitting fault in the San Bruno explosion, failed to cooperate with the investigation, fought against paying a fair fine, and hopes to make ratepayers pay for the fine.
- PG&E's current electric mix is only 20% California-certified renewable.
- Outages of PG&E-owned streetlights have increased over 400% in recent years, and PG&E wants to increase by $600,000 a year the amount it charges the City for streetlight maintenance without committing to improved service.
- Despite the fact that PG&E already has some of the highest electric rates in the country, PG&E is seeking to further increase rates in each of the next three years.
- While PG&E has proposed a new Green Tariff program, it remains only a vague proposal and there is no guarantee that it will ever be implemented.
- PG&E's previous green campaigns-such as ClimateSmart and "Let's Green This City"-have proven to be short lived and ineffective public relations stunts.

Multiple public surveys conducted by the PUC to gauge the level of support for CleanPowerSF have all found that a substantial number of San Franciscans want the opportunity to pay a slight premium for a 100% renewable alternative to PG&E.

Why does your office continue to oppose providing City ratepayers with an alternative to PG&E's monopoly by implementing CleanPowerSF? (Supervisor Avalos, District 11)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

There were no items.

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Breed, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Ambassador Carlos Isauro Felix of the Consulate General of Mexico, San Francisco, in recognition of his accomplishments upon his retirement. Supervisors Avalos and Cohen shared in this commendation.

Supervisor Breed introduced, welcomed, and presented a Certificate of Honor to Jesus "Chuy" Gomez, local celebrity disc jockey, of the KMEL FM Radio Station, in recognition of his accomplishments and continued community support. Supervisors Kim and Cohen shared in this commendation.

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Peter Warfield; expressed concerns relating death of Victor Jara, destructions of murals, and SF Public Library.
Joshua Digman; expressed concerns relating to Citywide clean-up and jobs.
Ace Washington; expressed concerns relating to chain stores in the Fillmore and the African-American community.
Daniel Lander; expressed concerns relating to the Fillmore Heritage Center and closures of African-American businesses.
Eugene Gordon, Jr.; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Female Speaker; spoke in support for Medical Interpreters and expressed specific concerns relating to Assembly Bill 1263.
John DiDonna; shared in poem certain concerns with the Board.
Neil Mow; spoke regarding historical events and repeal of Chinese Exclusion Act of 1882.
Male Speaker; spoke in support of CleanPowerSF.
Male Speaker; expressed various religious concerns.
Douglas Yep; expressed various concerns to recent San Francisco Chronicle News articles.
Ray Hartz; expressed concerns relating to SF Public Library, Librarian, Library Commission, and open government.
Emil Lawrence; expressed concerns relating to Librarian and in memory of Mr. Paul Courier.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130828 [Enterprise Zone Targeted Employment Area]

Sponsor: Mayor

Resolution approving the boundaries of the City and County of San Francisco Enterprise Zone Targeted Employment Area.

ADOPTED

130830 [Deferred Action for Childhood Arrivals Day - September 4, 2013]

Sponsors: Campos; Chiu

Resolution commending the Dream SF Deferred Action Grant Program and declaring September 4, 2013, as Deferred Action for Childhood Arrivals (DACA) Day in the City and County of San Francisco.

ADOPTED

130792 [Committee of the Whole - Disposition and Development Agreement - Transbay Block 6 - September 17, 2013]

Sponsor: Kim

Motion scheduling the Board to sit as a Committee of the Whole on September 17, 2013, at 3 p.m., to hold a public hearing of the proposal of the Successor Agency to the San Francisco Redevelopment Agency to enter into a Disposition and Development Agreement for the sale and development of land located at the corner of First and Folsom Streets, Assessor's Parcel No. 3738-004, commonly known as Transbay Block 6, with Golub Real Estate Corporation, a Illinois corporation, and Mercy Housing California, a California non-profit public benefit corporation, consistent with the provisions of the California Community Redevelopment Law, Section 33433.

Motion No. M13-110

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Breed requested that File No. 130829 be severed so that it may be considered separately.

130829 [Urging the Public Utilities Commission to Set Not-to-Exceed Rates for CleanPowerSF Without Any Further Delay]

Sponsors: Breed; Avalos, Mar and Campos

Resolution reiterating the Board of Supervisor's support for CleanPowerSF, citing the Board's role as the preeminent policymaking body in San Francisco, urging the Public Utilities Commission to set not-to-exceed rates for CleanPowerSF without any further delay, and promising further action if the Public Utilities Commission fails to set rates.

Supervisor Breed, seconded by Supervisor Avalos, moved that this Resolution be CONTINUED to September 17, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130836 [Building Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Building Code in its entirety and enacting a 2013 Building Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

08/29/13; RECEIVED FROM DEPARTMENT.

09/10/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/10/2013.

130837 [Building Code - Residential Building Requirements]

Ordinance incorporating the provisions of the 2013 California Residential Code into various chapters of the Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the Building Code; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

08/29/13; RECEIVED FROM DEPARTMENT.

09/10/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/10/2013.

130838 [Electrical Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Electrical Code in its entirety and enacting a 2013 Electrical Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

08/29/13; RECEIVED FROM DEPARTMENT.

09/10/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/10/2013.

130839 [Mechanical Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]
Ordinance repealing the 2010 Mechanical Code in its entirety and enacting a 2013 Mechanical Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

08/29/13; RECEIVED FROM DEPARTMENT.

09/10/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/10/2013.

130840 [Plumbing Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]
Ordinance repealing the 2010 Plumbing Code in its entirety and enacting a 2013 Plumbing Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

08/29/13; RECEIVED FROM DEPARTMENT.

09/10/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/10/2013.

130841 [Green Building Code - Enactment of New Code]
Ordinance enacting a 2013 San Francisco Green Building Code consisting of the 2013 California Green Building Standards Code, as amended by San Francisco; adopting environmental findings and findings required by the California Health and Safety Code, California Public Resources Code, and Title 24 of the California Code of Regulations; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission as required by State law. (Building Inspection Commission)

08/29/13; RECEIVED FROM DEPARTMENT.

09/10/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 10/10/2013.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:18 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

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Tuesday, September 17, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:30 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, Supervisor Kim was noted absent. There was a quorum.

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

There were none.

COMMUNICATIONS

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130276 [Business and Tax Regulations Code - Former Transfer Tax Review Board]

Ordinance amending the Business and Tax Regulations Code to remove provisions that refer to the former Transfer Tax Review Board that expired by operation of law on January 1, 2013. (City Attorney)

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Absent: 1 - Kim

130780 [Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2013-2014]

Sponsor: Mayor

Ordinance providing revenue and levying property taxes at a combined rate of $1.1880 on each $100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District, and establishing a pass-through rate of $0.0880 per $100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year ending June 30, 2014.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Absent: 1 - Kim

130671 [Airport Concession Lease - Skyline Concessions, Inc. - $192,000 Minimum Annual Guarantee]

Resolution approving the Boarding Area E Newsstand Lease, a Small Business Enterprise Set-Aside, between Skyline Concessions, Inc., and the City and County of San Francisco, acting by and through its Airport Commission for a seven year term with a minimum annual guarantee of $192,000. (Airport Commission)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Absent: 1 - Kim

130701 [Real Property Lease Renewal - 3801-3rd Street, Suite 400 - Bayview Plaza, LLC, - $38,545 Monthly]

Resolution retroactively authorizing the renewal lease for approximately 14,825 square feet of space at 3801-3rd Street, Suite 400, San Francisco, with Bayview Plaza, LLC, as Landlord, for use by the Department of Public Health at the monthly cost of $38,545 for the period of July 1, 2013, through June 30, 2018. (Real Estate Department)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Absent: 1 - Kim

130708 [Accept and Expend Grant - County Enrollment Assistance 2013 - $225,000]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $225,000 from Blue Shield of California Foundation to participate in a program entitled County Enrollment Assistance 2013 grant for the period of April 1, 2013, through March 31, 2014; and waiving indirect costs.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Absent: 1 - Kim

130714 [Accept and Expend Grant - National Institutes of Health - $140,827]

Sponsors: Wiener; Campos

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $140,827 from National Institutes of Health to participate in a program entitled, "A Probability-Based Survey of HIV Risk among Transmen, using a novel Sampling Method" for the period of April 1, 2013, through March 31, 2014.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Absent: 1 - Kim

130729 [Agreement - County CalWIN Consortium - $53,019,909]

Resolution retroactively amending the membership of the 18 County CalWIN Consortium and authorizing the Director of the Human Services Agency to expand the expenditure authority from $42,530,138 for an additional amount of $10,489,771 the project budget including this extension is totaling to $53,019,909 from July 1, 2013, through August 1, 2015. (Human Services Agency) (Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Absent: 1 - Kim

130730 [Agreement - In-Home Supportive Services Consortium - Not to Exceed $87,321,540]

Resolution retroactively approving the contract between the City and the In-Home Supportive Services (IHSS) Consortium of San Francisco for the provision of IHSS for the period of July 1, 2013, to June 30, 2017, in an amount not to exeed $87,321,540. (Human Services Agency)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Absent: 1 - Kim

Supervisor Kim was noted present at 2:14 p.m.

130732 [Real Property Lease - Port Commission - 295 Terry Francois - Seven Percent of Gross or $10,011.81 Monthly]

Resolution approving Port Commission Lease No. L-15255 with East Street Ventures, LLC, for restaurant space located at 295 Terry Francois Boulevard in the Central Waterfront with a 180-month term with one 60-month term extension option for initial monthly rent of the greater amount of either seven percent of all gross revenue or $10,011.81. (Port)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130776 [Lease - Golden Gate Park Golf Foundation - $225,000 Annual Base Rent]

Resolution authorizing the General Manager of the Recreation and Park Department to execute a five-year lease, with one two-year option to extend, with the Golden Gate Park Golf Foundation, for the management and operation of the clubhouse and golfing operations at Golden Gate Park Golf Course, with an annual base rent of $225,000. (Recreation and Park Department)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130825 [Apply for, Accept, and Expend Fund - Transportation Security Administration Other Transaction Agreement - Not to Exceed $59,429,406]

Sponsor: Mayor

Resolution approving the Airport Commission's negotiation and execution of an Other Transaction Agreement with the Transportation Security Administration for the Terminal 1 Checked Baggage Inspection System Modernization Program for a five-year term in an amount not to exceed $59,429,406 and approving the acceptance and expenditure of Federal funds.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

130646 [Planning Code - Mixed Use Office District]

Ordinance amending the Planning Code, Section 842 and 842.49, of the Zoning Control Table, to permit a tourist hotel without a specified room limit in a Mixed Use Office District in height districts that are 105 feet and above with a Conditional Use authorization; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1. (Planning Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130672 [Transportation Code - Disabled Parking Placard or License Plate Restrictions]

Sponsor: Chiu

Ordinance amending the Transportation Code, Division I, to prohibit, on any street, alley, or portion of a street or alley, or in any municipal or private parking facility, the parking of a vehicle displaying a disabled parking placard or special license plate, in order to obtain special parking privileges, that has been reported as lost, stolen, surrendered, canceled, revoked, expired, or issued to a person who has been reported as deceased for a period exceeding sixty days; is not being used to transport, and is not in the reasonable proximity of, the person to whom the license plate or placard was issued or a person who is authorized to be transported in the vehicle displaying that placard or license plate; or is counterfeit, forged, altered, or mutilated.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130706 [Administrative Code - Residential Rent Ordinance, Tenant Financial Hardship Applications for Relief from Landlord Passthrough of Capital Improvement Costs]

Sponsors: Mayor; Chiu, Kim, Mar, Campos and Breed

Ordinance amending the Administrative Code to provide standards for Residential Tenant Financial Hardship Applications seeking relief from landlord passthrough of capital improvement costs to a tenant, and procedures for reviewing and deciding the applications; and to require the Rent Board to provide notice to tenants regarding financial hardship application procedures, when a landlord applies for certification of capital improvement costs.

Supervisor Chiu, seconded by Supervisor Mar, moved that this Ordinance be AMENDED on Page 2, Line 1, by replacing 'for a period of 60 days from the date of filing, and the stay shall be extended if the Board accepts the application for hearing' with 'from the date of filing until a decision is made on the Tenant Financial Hardship Application'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130782 [Building, Housing Codes - Mandatory Seismic Retrofit Program - Wood-Frame Buildings]

Sponsors: Mayor; Chiu, Wiener, Yee, Tang, Farrell, Breed, Mar and Cohen

Ordinance amending the Building Code to modify some of the evaluation and retrofit criteria for the Mandatory Earthquake Retrofit Program and add seismic members to the Board of Examiners; amending the Housing Code to require a Report of Residential Building Record (3R Report) to include information on whether a building is included in the program and whether the required upgrade has been completed; adopting environmental findings and findings of local conditions under the California Health and Safety Code; and directing the Clerk of the Board to forward the legislation to specified State agencies.

PASSED, ON FIRST READING

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130786 [Fire Code - Repealing, Replacing, and Amending]

Sponsors: Chiu; Farrell

Ordinance repealing the current Fire Code in its entirety and replacing that code with a new 2013 San Francisco Fire Code consisting of the 2013 California Fire Code and portions of the 2012 International Fire Code, together with San Francisco amendments, with an operative date of January 1, 2014; amending the current Fire Code, Section 511.2, to exempt any building that is covered by Section 511.2 and is equipped with a fire service access elevator pursuant to California Building Code, Section 3007, from the requirement to install an air replenishment system, with an operative date of 30 days after enactment; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward the legislation and associated materials to the California Building Standards Commission and State Fire Marshal; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Neighborhood Services and Safety Committee

130764 [Administrative Code - Due Process for All Ordinance on Civil Immigration Detainers]

Sponsors: Avalos; Breed, Campos, Chiu, Cohen, Kim, Mar and Yee

Ordinance amending the Administrative Code, by adding Chapter 12I, to prohibit law enforcement officials from detaining individuals on the basis of a civil immigration detainer after they become eligible for release from custody.

Supervisor Kim, seconded by Supervisor Cohen, moved that this Ordinance be CONTINUED ON FIRST READING to September 24, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130775 [Liquor License Transfer - 6333 Geary Boulevard]

Resolution determining that the transfer of a Type 21 off-sale general license from 701 Fillmore Street to 6333 Geary Boulevard (District 1), to Patrick Davis for Grocery Outlet Inc., dba Grocery Outlet, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Wiener, seconded by Supervisor Cohen, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to Richard Kravitz of the San Francisco PRIDE in recognition of his 10 years of service, accomplishments, and continued community support.

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to Emmanuel S. Stewart, Teacher, of the San Francisco Unified School District, in recognition of his accomplishments and continued community support.

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to Pamela Stevenson, Chapter President, Angelique Thompkins and Dr. Allison Metz, Health and Human Services Co-Chairs, of the San Francisco Chapter of the Links, in recognition of their accomplishments and continued community support.

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to various individuals of the SF Pathways to Citizenship Community Collaborative in recognition of National Citizenship Day, their accomplishments, and continued community support. Supervisor Yee shared in this commendation.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to various individuals of the Senior and Disability Action Network in recognition of their accomplishments and continued community support.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

130793 [Hearing - Disposition and Development Agreement - Golub Real Estate and Mercy Housing - 280 Beale Street (Transbay Block 6)]

Sponsor: Kim

Hearing to consider the proposal of the Successor Agency to the San Francisco Redevelopment Agency, to retroactively enter into a Disposition and Development Agreement for the sale and development of land located at 280 Beale Street, Assessor's Parcel No. 3738-004, commonly known as Transbay Block 6, with Golub Real Estate Corporation, an Illinois corporation, and Mercy Housing California, a California non-profit public benefit corporation beginning April 16, 2013.

The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 130794. Supervisor Kim provided an overview of the project. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.

HEARD AND FILED

Committee of the Whole Adjourn and Report

130794 [Disposition and Development Agreement - Golub Real Estate and Mercy Housing - 280 Beale Street (Transbay Block 6) - $30,000,000]

Sponsor: Kim

Resolution retroactively approving and authorizing the Office of Community Investment and Infrastructure, as Successor Agency to the San Francisco Redevelopment Agency, to enter into a Disposition and Development Agreement for the sale and development of land located at 280 Beale Street, Assessor's Parcel No. 3738-004, commonly known as Transbay Block 6, with Golub Real Estate Corporation, an Illinois corporation, and Mercy Housing California, a California non-profit public benefit corporation beginning April 16, 2013.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 3:00 P.M.

130818 [Public Hearing - Conditional Use - 3771 and 3781 Cesar Chavez Street]

Hearing of persons interested in or objecting to the Planning Commission's approval on July 18, 2013, of a Conditional Use Authorization identified as Planning Case No. 2013.0259CV, by its Motion No. 18930, pursuant to Planning Code Sections 209.3(f), 209.3(j), 317, and 303, to increase enrollment at an existing preschool (d.b.a. Gan Noe Preschool) and allow for an accessory religious facility within the preschool, located within a RH-2 (Residential, House, Two-Family) District and a 40-X Height and Bulk District, on property located at 3771 and 3781 Cesar Chavez Street, Assessor's Block No. 6577, Lot Nos. 030 and 045. (District 8) (Appellant: Richard Rochman) (Filed August 19, 2013). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Supervisor Wiener provided an overivew a proposed settlement. Richard Rochman (Appellant) provided an overview of the appeal, agreed to the proposed settlement, and formally withdrew his appeal. There were no speakers in support of the appeal. AnMarie Rodgers (Planning Department) expressed gratitude to Supervisor Wiener's effort on the proposed settlement. Leah Potash (Project Sponsor) provided an overview of the settlement and agreed to additional conditions. There were no speakers in support of the project and in opposition to the appeal. Mr. Rochman did not provide a rebuttal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

130819 [Approving Planning Commission's Decision Related to the Conditional Use Authorization - 3771 and 3781 Cesar Chavez Street]

Motion approving the decision of the Planning Commission by its Motion No. 18930, approving a Conditional Use Authorization identified as Planning Case No. 2013.0259CV on property located at 3771 and 3781 Cesar Chavez Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Mar, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130820 [Disapproving Planning Commission's Decision Related to the Conditional Use Authorization - 3771 and 3781 Cesar Chavez Street; Approving the Conditional Use as Modified by the Board of Supervisors]

Motion disapproving the decision of the Planning Commission by its Motion No. 18930, approving a Conditional Use Authorization identified as Planning Case No. 2013.0259CV on property located at 3771 and 3781 Cesar Chavez Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Mar, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Motion 1) disapproving decision of the Planning Commission by its Motion No. 18930, approving Conditional Use Authorization identified as Planning Case No. 2013.0259CV on property located at 3771 and 3781 Cesar Chavez Street; 2) approving the Conditional Use on property located at 3771 and 3781 Cesar Chavez Street subject to the conditions set forth in Planning Commission Motion No. 18930, as modified by the Board of Supervisors on September 17, 2013, and subject to additional conditions imposed by the Board of Supervisors on September 17, 2013; and 3) adopting findings of consistency with the General Plan and the Priority Policies in Planning Code Section 101.1. (Clerk of the Board)

Motion No. M13-111

Supervisor Wiener, seconded by Supervisor Mar, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130821 [Preparation of Findings Related to the Conditional Use Authorization - 3771 and 3781 Cesar Chavez Street]

Motion directing the Clerk of the Board to prepare findings relating to the proposed Conditional Use Authorization identified as Planning Case No. 2013.0259CV on property located at 3771 and 3781 Cesar Chavez Street. (Clerk of the Board)

Motion No. M13-112

Supervisor Wiener, seconded by Supervisor Mar, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMITTEE REPORTS

Recommendations of the Government Audit and Oversight Committee

130762 [Memorandum of Understanding, Amendment No. 5 - San Francisco Police Officers' Association (Units P-1 & P-2A)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 5 to the 2007-2015 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Units P-1 & P-2A) by implementing specified terms and conditions of employment for FYs 2013-2014, 2014-2015, 2015-2016, 2016-2017, and 2017-2018.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130763 [Memorandum of Understanding, Amendment No. 5 - San Francisco Police Officers' Association (Unit P-2B)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 5 to the 2007-2015 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Unit P-2B) by implementing specified terms and conditions of employment for FYs 2013-2014, 2014-2015, 2015-2016, 2016-2017, and 2017-2018.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Emil Lawrence; expressed various concerns.
Douglas Yep; expressed various concerns.
Spencer Gosh; expressed concerns relating to the Department of Building Inspection.
Dale Seymour; expressed support for Sunday Streets in the Tenderloin.
Edmond Juicye; expressed various concerns.
John; expressed various religious concerns.
Male Speaker; expressed various religious concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130871 [Frank Rossi, Sr., Day - October 19, 2013]

Sponsor: Chiu

Resolution declaring October 19, 2013, as Frank Rossi, Sr., Day in the City and County of San Francisco.

ADOPTED

130848 [Final Map 7341 - 1 Capitol Avenue]

Motion approving Final Map 7341, a 29 Lot Subdivision Project, located at 1 Capitol Avenue, being a subdivision of Assessor's Block No. 7148, Lot No. 040, and adopting findings pursuant to the General Plan, and Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-113

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Breed requested that File No. 130829 be severed so that it may be considered separately.

130829 [Urging the Public Utilities Commission to Set Not-to-Exceed Rates for CleanPowerSF Without Any Further Delay]

Sponsors: Breed; Avalos, Mar and Campos

Resolution reiterating the Board of Supervisor's support for CleanPowerSF, citing the Board's role as the preeminent policymaking body in San Francisco, urging the Public Utilities Commission to set not-to-exceed rates for CleanPowerSF without any further delay, and promising further action if the Public Utilities Commission fails to set rates.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Wiener, Yee
Noes: 2 - Farrell, Tang

Supervisor Campos requested that File No. 130870 be severed so that it may be considered separately.

130870 [Supporting Assembly Bill 1263 - Medi-Cal: CommuniCal - Reliable Access to Language Interpretation for Medi-Cal Beneficiaries]

Sponsors: Campos; Avalos and Chiu

Resolution urging the California State Legislature to pass Assembly Bill 1263, which creates "Medi-Cal: CommuniCal," a program that provides reliable access to language interpretation for Medi-Cal beneficiaries who are limited English proficient.

Supervisor Chiu requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130854 [Settlement of Lawsuit - Erik Russell - $30,000]

Ordinance authorizing settlement of the lawsuit filed by Erik Russell against the City and County of San Francisco for $30,000; the lawsuit was filed on February 24, 2012, in United States District Court, Northern District of California, Case No. 12-CV-00929 JCS; entitled Erik Russell, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

09/05/13; RECEIVED FROM DEPARTMENT.

09/17/13; RECEIVED AND ASSIGNED to Rules Committee.

130855 [Settlement of Lawsuit - E. Lynn Schoenmann - $160,000]

Ordinance authorizing settlement of the lawsuit filed by E. Lynn Schoenmann against the City and County of San Francisco for $160,000; the lawsuit was filed on December 10, 2012 in Bankruptcy Court Case No. 12-32146-HLB; Adv. Proc. No. 12-03170; entitled E. Lynn Schoenmann, Trustee, et al., v. City and County of San Francisco. (City Attorney's Office)

09/05/13; RECEIVED FROM DEPARTMENT.

09/17/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

130856 [Agreement - Pacific Gas and Electric Company - Solar Power Project - 700 Pennsylvania Avenue]

Resolution authorizing the Public Utilities Commission General Manager to enter into a long term interconnection agreement with Pacific Gas and Electric Company for a Solar Power Project at the Municipal Transportation Agency building, 700 Pennsylvania Avenue, San Francisco, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)

09/09/13; RECEIVED FROM DEPARTMENT.

09/17/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:55 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

SEP 30 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, September 24, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:30 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, Supervisor Yee was noted absent. There was a quorum.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Government Audit and Oversight Committee

130762 [Memorandum of Understanding, Amendment No. 5 - San Francisco Police Officers' Association (Units P-1 & P-2A)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 5 to the 2007-2015 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Units P-1 & P-2A) by implementing specified terms and conditions of employment for FYs 2013-2014, 2014-2015, 2015-2016, 2016-2017, and 2017-2018.

FINALLY PASSED

130763 [Memorandum of Understanding, Amendment No. 5 - San Francisco Police Officers' Association (Unit P-2B)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 5 to the 2007-2015 Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers' Association (Unit P-2B) by implementing specified terms and conditions of employment for FYs 2013-2014, 2014-2015, 2015-2016, 2016-2017, and 2017-2018.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

130646 [Planning Code - Mixed Use Office District]

Ordinance amending the Planning Code, Section 842 and 842.49, of the Zoning Control Table, to permit a tourist hotel without a specified room limit in a Mixed Use Office District in height districts that are 105 feet and above with a Conditional Use authorization; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1. (Planning Commission)

FINALLY PASSED

130672 [Transportation Code - Disabled Parking Placard or License Plate Restrictions]

Sponsor: Chiu

Ordinance amending the Transportation Code, Division I, to prohibit, on any street, alley, or portion of a street or alley, or in any municipal or private parking facility, the parking of a vehicle displaying a disabled parking placard or special license plate, in order to obtain special parking privileges, that has been reported as lost, stolen, surrendered, canceled, revoked, expired, or issued to a person who has been reported as deceased for a period exceeding sixty days; is not being used to transport, and is not in the reasonable proximity of, the person to whom the license plate or placard was issued or a person who is authorized to be transported in the vehicle displaying that placard or license plate; or is counterfeit, forged, altered, or mutilated.

FINALLY PASSED

130782 [Building, Housing Codes - Mandatory Seismic Retrofit Program - Wood-Frame Buildings]

Sponsors: Mayor; Chiu, Wiener, Yee, Tang, Farrell, Breed, Mar and Cohen

Ordinance amending the Building Code to modify some of the evaluation and retrofit criteria for the Mandatory Earthquake Retrofit Program and add seismic members to the Board of Examiners; amending the Housing Code to require a Report of Residential Building Record (3R Report) to include information on whether a building is included in the program and whether the required upgrade has been completed; adopting environmental findings and findings of local conditions under the California Health and Safety Code; and directing the Clerk of the Board to forward the legislation to specified State agencies.

FINALLY PASSED

130786 [Fire Code - Repealing, Replacing, and Amending]

Sponsors: Chiu; Farrell

Ordinance repealing the current Fire Code in its entirety and replacing that code with a new 2013 San Francisco Fire Code consisting of the 2013 California Fire Code and portions of the 2012 International Fire Code, together with San Francisco amendments, with an operative date of January 1, 2014; amending the current Fire Code, Section 511.2, to exempt any building that is covered by Section 511.2 and is equipped with a fire service access elevator pursuant to California Building Code, Section 3007, from the requirement to install an air replenishment system, with an operative date of 30 days after enactment; adopting findings of local conditions pursuant to California Health and Safety Code, Section 17958.7; directing the Clerk of the Board of Supervisors to forward the legislation and associated materials to the California Building Standards Commission and State Fire Marshal; and making environmental findings.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 1 - Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

130276 [Business and Tax Regulations Code - Former Transfer Tax Review Board]

Sponsor: Campos

Ordinance amending the Business and Tax Regulations Code to remove provisions that refer to the former Transfer Tax Review Board that expired by operation of law on January 1, 2013. (City Attorney)

Supervisor Campos requested to be added as sponsor.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 1 - Yee

130780 [Setting Property Tax Rate and Establishing Pass-Through Rate for Residential Tenants - FY2013-2014]

Sponsor: Mayor

Ordinance providing revenue and levying property taxes at a combined rate of $1.1880 on each $100 valuation of taxable property for the City and County of San Francisco, San Francisco Unified School District, San Francisco Community College District, Bay Area Rapid Transit District, and Bay Area Air Quality Management District, and establishing a pass-through rate of $0.0880 per $100 of assessed value for residential tenants pursuant to Administrative Code, Chapter 37, for the fiscal year ending June 30, 2014.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 1 - Yee

Recommendation of the Land Use and Economic Development Committee

130706 [Administrative Code - Residential Rent Ordinance, Tenant Financial Hardship Applications for Relief from Landlord Passthrough of Capital Improvement Costs]

Sponsors: Mayor; Chiu, Kim, Mar, Campos and Breed

Ordinance amending the Administrative Code to provide standards for Residential Tenant Financial Hardship Applications seeking relief from landlord passthrough of capital improvement costs to a tenant, and procedures for reviewing and deciding the applications; and to require the Rent Board to provide notice to tenants regarding financial hardship application procedures, when a landlord applies for certification of capital improvement costs.

FINALLY PASSED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 1 - Yee

Recommendation of the Neighborhood Services and Safety Committee

130764 [Administrative Code - Due Process for All Ordinance on Civil Immigration Detainers]

Sponsors: Avalos; Breed, Campos, Chiu, Cohen, Kim, Mar and Yee

Ordinance amending the Administrative Code, by adding Chapter 12I, to prohibit law enforcement officials from detaining individuals on the basis of a civil immigration detainer after they become eligible for release from custody.

Privilege of the floor was granted to Sheriff Ross Mirkirimi who provided some opening remarks relating to the proposed legislation.

Supervisor Kim, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Ordinance amending the Administrative Code, by adding Chapter 12I, to prohibit law enforcement officials from detaining individuals on the basis of a civil immigration detainer after they become eligible for release from custody, except for individuals who have prior conviction for a violent felony within a certain period of time, are currently being charged with a violent felony, and may pose a public safety risk.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130784 [Business and Tax Regulations Code - Miscellaneous Changes]

Sponsor: Chiu

Ordinance amending the Business and Tax Regulations Code by, among other things: 1) (Common Administrative Provisions) requiring monthly installment payments rather than prepayments of hotel and parking taxes; eliminating the annual parking tax bond renewal requirement; providing a due date for business registration fees; excluding penalties from calculation of interest on tax determinations; adding an underreporting penalty for failure to file a return when tax liability exceeds $5,000; changing the penalty for failure to register or update a registration, making misstatements in a registration, failure to allow inspection or production of records, and failure to file a return; 2) (Tax on Occupancy of Parking Space in Parking Stations) eliminating the prepayment Revenue Control Equipment certification; 3) (Business Registration provisions) requiring a copy of the business registration certificate rather than a business tax registration tag be displayed on company vehicles; eliminating the Tax Collector's authority to suspend a business registration certificate; 4) (Payroll Expense Tax Ordinance) providing that interest applies to unpaid penalties but not unpaid fees and interest; changing the date that businesses must file an affidavit with the Office of Economic and Workforce Development claiming the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion; and 5) (Parking Stations, Revenue Control Equipment) specifying the date the Revenue Control Equipment Compliance Fee is due.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 1 - Yee

130651 [Memorandum of Unrecorded Grant Agreement - Buena Vista Park Project]

Resolution authorizing the Director of Real Estate to record a Memorandum of Unrecorded Grant Agreement against Assessor's Block No. 2601, Lot No. 001, for the Buena Vista Park Project, pursuant to a Land and Water Conservation Fund Grant Agreement. (Recreation and Park Department)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 1 - Yee

130826 [Accept and Expend Grant - McLaren Park Connector Trail Project - $186,746]

Sponsor: Avalos

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a Land and Water Conservation Fund Grant from the California Department of Parks and Recreation in the amount of $186,746 for the McLaren Park Connector Trail Project for the period of September 16, 2011, through June 30, 2014.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 1 - Yee

130866 [Revenue Bonds - Municipal Transportation Agency - Transportation Related Projects - Not to Exceed $165,000,000]

Sponsors: Mayor; Farrell

Resolution authorizing the sale, issuance, and execution of not to exceed $165,000,000 aggregate principal amount of revenue bonds by the Municipal Transportation Agency to finance certain transportation related projects, approving the form of certain financing documents including the official statement, the bond purchase contract, the second supplement to indenture of trust, and continuing disclosure certificate; authorizing the taking of appropriate actions in connection therewith; and related matters approving the forms of documents relating thereto; approving the maximum interest thereon; finding that the authorization and issuance of revenue bonds by the agency is not a project under California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code, Chapter 31; and related matters.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 1 - Yee

130861 [Appropriation - Municipal Transportation Agency 2013 Series Revenue Bond Proceeds - Transportation Capital Projects and Equipment - $165,000,000 - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating $165,000,000 of 2013 Series Revenue Bond proceeds to the Municipal Transportation Agency for Transit, Bicycle, Pedestrian, and Parking Garage Projects and Equipment in FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 1 - Yee

Recommendations of the Government Audit and Oversight Committee

130602 [Board Response - Civil Grand Jury Report - "Are the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From Confrontation to Conversation"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2012-2013 Civil Grand Jury Report entitled "Are the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From Confrontation to Conversation" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 1 - Yee

130604 [Board Response - Civil Grand Jury Report - "Optimizing the Use of Publicly-Owned Real Estate: Achieving Transparency, Momentum, and Accountability"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2012-2013 Civil Grand Jury Report entitled "Optimizing the Use of Publicly-Owned Real Estate: Achieving Transparency, Momentum, and Accountability" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)

ADOPTED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 1 - Yee

Recommendation of the Land Use and Economic Development Committee

130781 [Administrative Code - Special Tax Financing Law]

Sponsors: Mayor; Tang and Wiener

Ordinance to amend the Administrative Code Special Tax Financing Law, constituting Article 43.10, to authorize financing by special tax districts of work deemed necessary to bring buildings or real property, including privately owned buildings or real property, into compliance with seismic safety standards or regulations, and related technical amendments; and to establish certain procedures by which the City can make changes to a special tax district.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 1 - Yee

Supervisor Yee was noted present at 2:26 p.m.

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

There were none.

SPECIAL ORDER 3:00 P.M.

130805 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 435-437 Potrero Avenue]

Hearing of persons interested in or objecting to the Planning Commission's determination dated July 11, 2013, that the project located at 435-437 Potrero Avenue, Assessor's Block No. 3974, Lot No. 022 is exempt from environmental review under Class 1 of the California Environmental Quality Act (CEQA) Guidelines as a minor alteration to an existing facility; the proposed work involves establishment of an internet services exchange to occupy the entirety of an existing 10,000 square foot building. (District 10) (Appellant: Mica I. Ringel) (Filed August 12, 2013). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance by the appellant and project sponsor. There were no speakers.

Supervisor Cohen, seconded by Supervisor Farrell, moved that this Hearing be CONTINUED to October 1, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

President CONTINUED the Hearing open to October 1, 2013.

130806 [Affirming the Exemption Determination - 435-437 Potrero Avenue]

Motion affirming the determination by the Planning Commission that a project located at 435-437 Potrero Avenue is exempt from environmental review.

Supervisor Cohen, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to October 1, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130807 [Reversing the Exemption Determination - 435-437 Potrero Avenue]

Motion reversing the determination by the Planning Commission that a project located at 435-437 Potrero Avenue is exempt from environmental review.

Supervisor Cohen, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to October 1, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130808 [Preparation of Findings to Reverse the Exemption Determination - 435-437 Potrero Avenue]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Commission that a project located at 435-437 Potrero Avenue is exempt from environmental review.

Supervisor Cohen, seconded by Supervisor Farrell, moved that this Motion be CONTINUED to October 1, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Bob Yamaguchi; expressed support for Japantown heritage and anticipated recommendation.
Douglas Yep; expressed various concerns.
Male Speaker; expressed various religious concerns.
Female Speaker; expressed concerns relating to raising the flag of China at City Hall.
Yuan; expressed concerns relating to raising the flag of China at City Hall.
Sherman; expressed concerns relating to raising the flag of China at City Hall.
Female Speaker; expressed concerns relating to raising the flag of China at City Hall.
Male Speaker; expressed concerns relating to raising the flag of China at City Hall.
Female Speaker; expressed concerns relating to addiction.
Alejandro Mejia; shared in poem certain concerns with the Board.
Peter Warfield; expressed concerns relating to the SF Public Library.
Male Speaker; expressed concerns relating to synthetic turf and children.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130891 [Constitution and Citizenship Day in San Francisco - September 17, 2013]

Sponsors: Chiu; Mar and Campos

Resolution commending the San Francisco Pathways to Citizenship Community Collaborative and declaring September 17, 2013, as Constitution Day and Citizenship Day in the City and County of San Francisco.

Supervisors Mar and Campos requested to be added as co-sponsors.

ADOPTED

130880 [Final Map 7320 - 343 Frederick Street]

Motion approving Final Map 7320, a five Residential Unit Condominium Project, located at 343 Frederick Street being a subdivision of Assessor's Block No. 1268, Lot No. 045, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-114

APPROVED

130881 [Final Map 7452 - 2652 Harrison Street]

Motion approving Final Map 7452, a 20 Residential Unit Condominium Project, located at 2652 Harrison Street being a subdivision of Assessor's Block No. 3639, Lot No. 002, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-115

APPROVED

130900 [Concurring in the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Motion concurring in the September 19, 2013, Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

Motion No. M13-116

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Mar requested that File No. 130892 be severed so that it may be considered separately.

130892 [Urging Support for the Supplemental Nutrition Assistance Program]

Sponsors: Mar; Campos

Resolution urging local and State officials to support the Supplemental Nutrition Assistance Program and its critical impact on the low-income residents of the City and County of San Francisco.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130882 [Park Code - Harding Park Golf Course Temporary Reduced Greens Fees]

Ordinance amending the Park Code to set temporary reduced greens fees for the Harding Park Golf Course from December 2, 2013, through no later than May 31, 2014, to accommodate the renovation of the greens; and making environmental findings. (Recreation and Park Department)

09/16/13; RECEIVED FROM DEPARTMENT.

09/24/13; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 10/24/2013.

PROPOSED RESOLUTIONS

130877 [Street Encroachment - Operator Convenience Facilities - Terminals of Muni Transit Lines]

Resolution granting revocable permission to the Municipal Transportation Agency to occupy portions of the public right-of-way to install and maintain two new operator convenience facilities at the terminus of various Muni bus routes, and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

09/13/13; RECEIVED FROM DEPARTMENT.

09/24/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130878 [Street Encroachment - Reed Street to Access a New Garage - 45 Priest Street]

Resolution granting revocable permission to Sanjay Dani to occupy portions of the public right-of-way on Reed Street, an existing unaccepted public right-of-way, to extend the existing roadway by approximately 20 feet and construct a concrete driveway ramp from the edge of an existing garage at 44 Reed Street to provide access to a proposed new garage at the Reed Street frontage of 45 Priest Street, conditioned upon the payment of an annual assessment fee, and making envronmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code Section 101.1. (Public Works Department)

09/16/13; RECEIVED FROM DEPARTMENT.

09/24/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130879 [Agreement Amendment - Airport Professional Services - Operation and Maintenance Services - AirTrain System - Not to Exceed $98,700,000]

Resolution approving Amendment No. 1 to Professional Services Agreement, Airport Contract No. 8838, to provide Operation and Maintenance Services for the AirTrain System, between Bombardier Transportation (Holdings) USA, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $98,700,000 pursuant to Charter, Section 9.118(b) for the period of March 1, 2014, through February 28, 2017. (Airport Commission)

09/13/13; RECEIVED FROM DEPARTMENT.

09/24/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:44 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, October 1, 2013 - 2:00 PM

GOVERNMENT
DOCUMENTS DEPT

OCT - 4 2013

SAN FRANCISCO
PUBLIC LIBRARY

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:30 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

There were none.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Neighborhood Services and Safety Committee

130767 [Comprehensive Bicycle Theft Prevention and Recovery Policy]

Sponsors: Mar; Breed, Campos and Chiu

Resolution urging for the creation of a comprehensive bicycle theft prevention and recovery policy for the Municipal Transportation Agency to develop and quickly implement short and medium term strategies to greatly expand bicycle parking in San Francisco; and for the Police Department to standardize best practices and implement a voluntary bicycle registration program.

ADOPTED

Recommendations of the Rules Committee

130581 [Appointment Process - Road Commissioner]

Sponsor: Mayor

Ordinance declaring that future appointments done by the City and County of San Francisco for Road Commissioner shall be enacted by Resolution.

PASSED, ON FIRST READING

130582 [Appointment, Road Commissioner - Mohammed Nuru]

Sponsor: Mayor

Ordinance appointing Mohammed Nuru, Director of the Department of Public Works, as Road Commissioner for the City and County of San Francisco; repealing Ordinance No. 160-10.

PASSED, ON FIRST READING

130696 [Settlement of Lawsuit - Jessica Orozco - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Jessica Orozco against the City and County of San Francisco for $50,000; the lawsuit was filed on March 13, 2012, in San Francisco Superior Court, Case No. CGC-12-519124; entitled Jessica Orozco v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

130697 [Settlement of Lawsuit - Andrew Melomet - $40,000]

Ordinance authorizing settlement of the lawsuit filed by Andrew Melomet against the City and County of San Francisco for $40,000; the lawsuit was filed on February 2, 2012, in California Superior Court, San Francisco Branch, Case No. CGC-12-518471, entitled Andrew Melomet v. City and County of San Francisco Human Services Agency; said lawsuit was removed to United States District Court for the Northern District of California, Case No. C 12-03101 EDL. (City Attorney's Office)

PASSED, ON FIRST READING

130757 [Settlement of Lawsuit - Joseph P. Cuviello, Deniz Bolbol, and Alex Felsinger - $180,000]

Ordinance authorizing settlement of the lawsuit filed by Joseph P. Cuviello, Deniz Bolbol, and Alex Felsinger against the City and County of San Francisco for $180,000 in the United States District Court for the Northern District of California, Case No. CV-12-3034-EMC; entitled Cuviello et al. v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

130758 [Settlement of Lawsuit - Ana Pichardo - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Ana Pichardo against the City and County of San Francisco for $50,000; the lawsuit was filed on May 9, 2012, in United States District Court, Case No. C12-4042; entitled Ana Pichardo v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

130759 [Settlement of Lawsuit - Bank of America N.A. - $975,000]

Ordinance authorizing settlement of the lawsuit filed by Bank of America N.A. against the City and County of San Francisco for $975,000; the lawsuit was filed on September 9, 2010, in San Francisco Superior Court, Case No. CGC-10-503389; entitled Bank of America N.A. v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

130803 [Settlement of Lawsuit - Lloyd O'Neil - $185,000]

Ordinance authorizing the settlement of the lawsuit filed by Lloyd O'Neal against the City and County of San Francisco for $185,000; the lawsuit was filed on September 29, 2011, in San Francisco Superior Court, Case No. CGC 11-514739; entitled Lloyd O'Neal v. City and County Of San Francisco. (City Attorney's Office)

PASSED, ON FIRST READING

130854 [Settlement of Lawsuit - Erik Russell - $30,000]

Ordinance authorizing settlement of the lawsuit filed by Erik Russell against the City and County of San Francisco for $30,000; the lawsuit was filed on February 24, 2012, in United States District Court, Northern District of California, Case No. 12-CV-00929 JCS; entitled Erik Russell, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

130855 [Settlement of Lawsuit - E. Lynn Schoenmann - $160,000]

Ordinance authorizing settlement of the lawsuit filed by E. Lynn Schoenmann against the City and County of San Francisco for $160,000; the lawsuit was filed on December 10, 2012, in Bankruptcy Court, Case No. 12-32146-HLB; Adv. Proc. No. 12-03170; entitled E. Lynn Schoenmann, Trustee, et al., v. City and County of San Francisco. (City Attorney's Office)

PASSED, ON FIRST READING

130731 [Settlement of Claim - Jeanine Dubois - $45,000]

Resolution approving the settlement of the unlitigated claim filed by Jeanine Dubois against the City and County of San Francisco for $45,000; claim was filed on June 30, 2008. (City Attorney's Office)

ADOPTED

130755 [Settlement of Claim - Beth Mondry - $175,000]

Resolution approving the proposed settlement of claim filed by Beth Mondry against the City and County of San Francisco for $175,000; claim was filed on November 13, 2012. (City Attorney's Office)

ADOPTED

130739 [Appointment, Local Homeless Coordinating Board - Deleano Seymour]

Motion appointing Deleano Seymour, term ending October 21, 2014, to the Local Homeless Coordinating Board, residency requirement waived. (Clerk of the Board)

Motion No. M13-117

APPROVED

130742 [Appointments, Food Security Task Force - Karen Gruneisen, Anne Quaintance, Teresa Olle, Bruce McKinney, Deloris McGee, Hilary Seligman, Charles Sommer, and Simon Pitchford]

Motion appointing Karen Gruneisen, Anne Quaintance, Teresa Olle, Bruce McKinney, Deloris McGee, Hilary Seligman, Charles Sommer, and Simon Pitchford, for indefinite terms, to the Food Security Task Force. (Clerk of the Board)

Motion No. M13-118

APPROVED

130859 [Appointment, Shelter Monitoring Committee - Amanda Reichmuth]

Motion appointing Amanda Reichmuth, term ending November 23, 2014, to the Shelter Monitoring Committee. (Clerk of the Board)

Motion No. M13-119

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget and Finance Committee

130784 [Business and Tax Regulations Code - Miscellaneous Changes]

Sponsor: Chiu

Ordinance amending the Business and Tax Regulations Code by, among other things: 1) (Common Administrative Provisions) requiring monthly installment payments rather than prepayments of hotel and parking taxes; eliminating the annual parking tax bond renewal requirement; providing a due date for business registration fees; excluding penalties from calculation of interest on tax determinations; adding an underreporting penalty for failure to file a return when tax liability exceeds $5,000; changing the penalty for failure to register or update a registration, making misstatements in a registration, failure to allow inspection or production of records, and failure to file a return; 2) (Tax on Occupancy of Parking Space in Parking Stations) eliminating the prepayment Revenue Control Equipment certification; 3) (Business Registration provisions) requiring a copy of the business registration certificate rather than a business tax registration tag be displayed on company vehicles; eliminating the Tax Collector's authority to suspend a business registration certificate; 4) (Payroll Expense Tax Ordinance) providing that interest applies to unpaid penalties but not unpaid fees and interest; changing the date that businesses must file an affidavit with the Office of Economic and Workforce Development claiming the Central Market Street and Tenderloin Area Payroll Expense Tax Exclusion; and 5) (Parking Stations, Revenue Control Equipment) specifying the date the Revenue Control Equipment Compliance Fee is due.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130861 [Appropriation - Municipal Transportation Agency 2013 Series Revenue Bond Proceeds - Transportation Capital Projects and Equipment - $165,000,000 - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating $165,000,000 of 2013 Series Revenue Bond proceeds to the Municipal Transportation Agency for Transit, Bicycle, Pedestrian, and Parking Garage Projects and Equipment in FY2013-2014.
(Fiscal Impact)

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

130781 [Administrative Code - Special Tax Financing Law]

Sponsors: Mayor; Tang and Wiener

Ordinance to amend the Administrative Code Special Tax Financing Law, constituting Article 43.10, to authorize financing by special tax districts of work deemed necessary to bring buildings or real property, including privately owned buildings or real property, into compliance with seismic safety standards or regulations, and related technical amendments; and to establish certain procedures by which the City can make changes to a special tax district.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Neighborhood Services and Safety Committee

130764 [Administrative Code - Due Process for All Ordinance on Civil Immigration Detainers]

Sponsors: Avalos; Breed, Campos, Chiu, Cohen, Kim, Mar and Yee

Ordinance amending the Administrative Code, by adding Chapter 12I, to prohibit law enforcement officials from detaining individuals on the basis of a civil immigration detainer after they become eligible for release from custody, except for individuals who have prior conviction for a violent felony within a certain period of time, are currently being charged with a violent felony, and may pose a public safety risk.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130869 [Multifamily Housing Revenue Bonds - 1751 Carroll Avenue - Not to Exceed $30,000,000]

Sponsor: Cohen

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $30,000,000 for 1751 Carroll Avenue (Assessor's Parcel No. 5431A, Lot No. 42), San Francisco, California 94124; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $30,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130887 [Multifamily Housing Revenue Bonds - 1825 Mission Street (Vincentian Villa) - Not to Exceed $15,500,000]

Sponsor: Campos

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of qualified mortgage revenue bonds in an aggregate principal amount not to exceed $15,500,000 for 1825 Mission Street (Vincentian Villa); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $77,500 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the qualified mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of mortgage revenue bonds by the City in an aggregate principal amount not to exceed $15,500,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130827 [Issuance of Tax-Exempt Obligation - The Hamlin School - Not to Exceed $22,000,000]

Sponsor: Farrell

Resolution approving, in accordance with Internal Revenue Code, Section 147(f), of the issuance of a tax-exempt revenue obligation by the California Enterprise Development Authority in an aggregate principal amount not to exceed $22,000,000 to refinance various capital facilities owned and operated by The Hamlin School.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130865 [Memorandum of Understanding - Urban Areas Security Initiative]

Sponsor: Mayor

Resolution approving a Memorandum of Understanding (MOU) with the Cities of Oakland and San Jose and the Counties of Alameda, Contra Costa, Marin, Monterey, San Mateo, Santa Clara, and Sonoma that provides governance structures and procedures for application, allocation, and distribution of Federal Urban Areas Security Initiative (UASI) Grant Funds to the Bay Area Urban Area, as well as for other Federal grant funds to the Bay Area Urban Area as permitted under the MOU; and continues San Francisco as the primary grantee and fiscal agent for UASI grant funds to the Bay Area Urban Area, as well as for other Federal grant funds to the Bay Area Urban Area, as permitted under the MOU for the period of December 1, 2013, through December 1, 2017.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130867 [Multifamily Housing Revenue Note - Western Park Apartments - Not to Exceed $30,000,000]

Sponsor: Breed

Resolution authorizing the execution, sale, and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed $30,000,000 for the purpose of providing financing for the acquisition and rehabilitation of a 182-unit affordable multifamily senior residential rental housing project known as Western Park Apartments; approving the form of and authorizing the execution of a funding loan agreement and a borrower loan agreement; providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes and additions to the documents; granting general authority to City officials to take actions necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the note and the Project (as defined herein).

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

130765 [Health Code - Alternate Water Sources for Non-Potable Applications]

Sponsors: Chiu; Mar

Ordinance amending the Health Code to establish permitting requirements for two or more parcels that share the use of alternate water sources for non-potable applications; setting permit fees; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130785 [Administrative Code - Family Friendly Workplace Ordinance]

Sponsors: Chiu; Cohen, Mar, Campos, Yee, Breed, Avalos and Kim

Ordinance amending the Administrative Code to allow San Francisco-based employees to request flexible or predictable working arrangements to assist with care giving responsibilities, subject to the employer's right to deny a request based on business reasons; prohibit adverse employment actions based on caregiver status; prohibit interference with rights or retaliation against employees for exercising rights under the Ordinance; require employers to post a notice informing employees of their rights under the Ordinance; require employers to maintain records regarding compliance with the Ordinance; authorize enforcement by the Office of Labor Standards Enforcement, including the imposition of remedies and penalties for a violation and an appeal process for an employer to an independent hearing officer; authorize waiver of the provisions of the Ordinance in a collective bargaining agreement; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130863 [Eliminating Official Sidewalk Width - Renovation of Glen Canyon Park - Portion of Elk Street (Between Chenery and Sussex Streets)]

Sponsor: Wiener

Ordinance amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to eliminate the official sidewalk width on a portion of the westerly side of Elk Street, between Chenery and Sussex Streets, for the renovation of Glen Canyon Park; requiring the Recreation and Park Department to address relocation, modification, or both of facilities affected by the sidewalk width change; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Rules Committee

130858 [Appointment, Reentry Council - Robert Bowden]

Motion appointing Robert Bowden, term ending June 1, 2014, to the Reentry Council. (Clerk of the Board)
(Supervisor Yee dissented in Committee.)

Motion No. M13-120

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Yee, seconded by Supervisor Kim, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Yee introduced, welcomed, and presented a Certificate of Honor to Bob and Keren Abra of District 7 in recognition of their accomplishments and continued community support.

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Reverend Glenda Hope of the San Francisco Network Ministries in recognition of her accomplishments upon her retirement from public service. Supervisor Avalos shared in this commendation.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Rene Yanez and Yolanda Lopez, local artists, in recognition of their accomplishments and continued community support. Supervisors Kim, Campos, Avalos, and San Francisco Poet Laureate Alejandro Murguía shared in this commendation.

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Ian Johnstone of Gunbygun.org in recognition of their accomplishments and continued community support.

Supervisors Kim and Chiu introduced, welcomed, and presented a Certificate of Honor to the Youth Program of the Chinatown Single Room Occupancy (SRO) in recognition of their accomplishments and continued community support.

SPECIAL ORDER 3:00 P.M.

130805 [Public Hearing - Appeal of Determination of Exemption from Environmental Review - 435-437 Potrero Avenue]

Hearing of persons interested in or objecting to the Planning Commission's determination dated July 11, 2013, that the project located at 435-437 Potrero Avenue, Assessor's Block No. 3974, Lot No. 022 is exempt from environmental review under Class 1 of the California Environmental Quality Act (CEQA) Guidelines as a minor alteration to an existing facility; the proposed work involves establishment of an internet services exchange to occupy the entirety of an existing 10,000 square foot building. (District 10) (Appellant: Mica I. Ringel) (Filed August 12, 2013). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Supervisor Cohen provided an overview. Mica Ringel and David Wurtman (Appellants) provided an overview of the appeal and further requested the Board to approve the appeal. Dr. Diane Ringewald; Adam Ringold; Darius Contractor; Olga Goode; Douglas Yep; Male Speaker; spoke in support of the appeal. Sarah Jones and Corey Teague (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. David Silverman and Philip Blix (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. There were no speakers in support of the project and in opposition to the appeal. Mica Ringel (Appellant) provided a rebuttal and further requested the Board to approve the appeal. Supervisor Cohen made some closing remarks and noted that the Project Sponsor had indicated in discussions with appellants and neighbors that it would propose additional changes to the project including: 1) Install a diesel particulate filter; 2) Replace older mechanical equipment, including removing older rooftop fans; 3) Install screening and enclosures around new equipment; 4) Improvements to the façade of the building; and 5) Work with the adjacent neighbors to adjust the height or direction of the vents. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

130806 [Affirming the Exemption Determination - 435-437 Potrero Avenue]

Motion affirming the determination by the Planning Commission that a project located at 435-437 Potrero Avenue is exempt from environmental review.

Motion No. M13-121

Supervisor Cohen, seconded by Supervisor Kim, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130807 [Reversing the Exemption Determination - 435-437 Potrero Avenue]

Motion reversing the determination by the Planning Commission that a project located at 435-437 Potrero Avenue is exempt from environmental review.

Supervisor Cohen, seconded by Supervisor Kim, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130808 [Preparation of Findings to Reverse the Exemption Determination - 435-437 Potrero Avenue]

Motion directing the Clerk of the Board to prepare findings reversing the determination by the Planning Commission that a project located at 435-437 Potrero Avenue is exempt from environmental review.

Supervisor Cohen, seconded by Supervisor Kim, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

Abdallah Megahed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Peter Warfield; expressed concerns relating to perjury of the Librarian and the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Tom Gilberty; expressed various concerns relating to freedom of speech and noise pollution.
Douglas Yep; expressed various concerns.
Dale Seymour; spoke in honor of Reverend Glenda Hope.
Robert Sahai; spoke in support of proposed legislation relating to JCHESS.
Bob Hamaguchi; spoke in support of proposed legislation relating to JCHESS.
Greg Violria; spoke in support of proposed legislation relating to JCHESS.
Ryan Kimura; spoke in support of proposed legislation relating to JCHESS.
Christopher Dall; expressed various concerns.
John Osaki; spoke in support of proposed legislation relating to JCHESS.
Beverly Uptown; spoke relating to diversity needs and programs.
Yoshiro Tasaka; spoke in support of proposed legislation relating to JCHESS.
Karen Kai; spoke in support of proposed legislation relating to JCHESS.
Charlie Pappis; expressed concerns relating to medical cannibis.
Richard Hashimoto; spoke in support of proposed legislation relating to JCHESS.
Male Speaker; expressed various religious concerns.
Male Speaker; expressed concerns relating to homelessness.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130943 [City Employees' Wellness]

Sponsors: Farrell; Campos

Resolution recognizing the importance of wellness to City employees' quality of life, controlling health care costs, and providing government services to San Francisco efficiently and effectively and pledging to support a comprehensive employee wellness plan that expands on current wellness offerings.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED

130944 [Approval of a Nine-Month Extension for Planning Commission Review of the Definition of Formula Retail in the Upper Fillmore Street Neighborhood Commercial District (File No. 130735)]

Sponsor: Farrell

Resolution extending by nine-months the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 130735) amending the Planning Code, Section 703.3, to expand the definition of formula retail uses in the Upper Fillmore Street Neighborhood Commercial District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Breed requested that File No. 130945 be severed so that it may be considered separately.

130945 [Endorsement of the Japantown Cultural Heritage and Economic Sustainability Strategy]

Sponsors: Breed; Mar, Chiu, Campos and Cohen

Resolution endorsing the Japantown Cultural Heritage and Economic Sustainability Strategy (JCHESS).

Supervisors Mar, Chiu, Campos, and Cohen requested to be added as co-sponsors.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Farrell, seconded by Supervisor Mar, moved ADOPTION of the serious injury finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Farrell, seconded by Supervisor Mar, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130967 [Designation of Agents Authorized to Obtain Emergency Assistance Funding]
Sponsors: Mayor; Farrell

Resolution authorizing agents to act on behalf of the City and County of San Francisco for all matters pertaining to State and Federal Disaster Assistance Funding.

The President inquired as to whether any member of the public wished to address the Board relating to designation of agents for emergency funding as referenced in File No. 130967. There were no speakers. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

There were none.

PROPOSED RESOLUTIONS

130902 [Master Lease Amendment - United States Navy - Treasure Island South Waterfront]

Resolution approving the Twenty-Ninth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for a period of one year beginning on December 1, 2013, and ending on November 30, 2014. (Treasure Island Development Authority)

09/20/13; RECEIVED FROM DEPARTMENT.

10/01/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130903 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]

Resolution approving the Thirty-Eighth Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for a period of one year beginning on December 1, 2013, and ending on November 30, 2014, and amend the leased premises. (Treasure Island Development Authority)

09/20/13; RECEIVED FROM DEPARTMENT.

10/01/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130904 [Master Lease Amendment - United States Navy - Treasure Island Marina]

Resolution approving the Seventeenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for a period of one year beginning on December 1, 2013, and ending on November 30, 2014. (Treasure Island Development Authority)

09/20/13; RECEIVED FROM DEPARTMENT.

10/01/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130905 [Master Lease Amendment - United States Navy - Treasure Island Childcare]

Resolution approving the Ninth Amendment to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for a period of one year beginning on December 1, 2013, and ending on November 30, 2014. (Treasure Island Development Authority)

09/20/13; RECEIVED FROM DEPARTMENT.

10/01/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130906 [Master Lease Amendment - United States Navy - Treasure Island Event Venues]

Resolution approving the Twenty-Fifth Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for a period of one year beginning on December 1, 2013, and ending on November 30, 2014. (Treasure Island Development Authority)

09/20/13; RECEIVED FROM DEPARTMENT.

10/01/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130907 [Master Lease Amendment - United States Navy - Fire Fighting Training Center]
Resolution approving the Fifth Amendment to the Treasure Island Fire Fighting Taining Center Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for a period of one year beginning on December 1, 2013, and ending on November 30, 2014. (Treasure Island Development Authority)

09/20/13; RECEIVED FROM DEPARTMENT.

10/01/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:01 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

OCT 11 2013

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, October 8, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:30 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Kim, moved to approve the Board Meeting Minutes of September 3, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

130985 [Formal Policy Discussions - October 8, 2013]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible question submitted from the Supervisor representing District 8. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mr. Mayor, we recently held a hearing at the Land Use and Economic Development Committee on the issue of illegal double parking in San Francisco - including its impacts on traffic, Muni, cycling, and pedestrians - and the City's enforcement policies and practices. While some might say that double parking is an innocent infraction, it can create traffic jams and block Muni. On our light rail vehicle lines, a single double parker can effectively shut down the line, since LRVs cannot swerve off of their tracks to get around the double parker. Moreover, double parking often occurs in bike lanes, causing cyclists to have to swerve into traffic, and double parking near crosswalks reduces pedestrian safety by blocking sight lines. While double parking is at times appropriate - for example a delivery truck that has no other option or a paratransit vehicle dropping off its passengers - double parking in San Francisco has become the wild west. All sorts of vehicles - taxis, private autos, delivery trucks - seem to park in the middle of the street whenever they want and even when there is space to pull over.

At the hearing, we heard from the Municipal Transportation Agency and the Police Department that double parking enforcement outside of the downtown core is infrequent. For example, on the entirety of 16th Street - which goes through multiple dense commercial areas - on average one double parking citation is issued every other day. On the entirety of Castro and Divisadero Streets, on average one citation is issued each day. At the same time that very few double parking citations are issued outside of the downtown core, MTA is engaging in periodic saturation ticketing in our neighborhoods for minor infractions like not curbing wheels on a slight grade or vehicle protruding an inch onto a sidewalk from a driveway. In other words, MTA is engaging in significant enforcement of minor infractions while not enforcing an infraction - double parking - that has serious impacts in our neighborhoods.

Mr. Mayor, what will you do to ensure that double parking enforcement is a priority where it impacts transit riders, pedestrians, and cyclists? What specific goals and metrics do you propose we establish to ensure that the most impactful double parking behavior becomes an enforcement priority for the MTA and the Police Department? Will your office agree to report back in a year on the city's stepped up enforcement efforts against double parking?

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced question. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

130765 [Health Code - Alternate Water Sources for Non-Potable Applications]

Sponsors: Chiu; Mar

Ordinance amending the Health Code to establish permitting requirements for two or more parcels that share the use of alternate water sources for non-potable applications; setting permit fees; and making environmental findings.

FINALLY PASSED

130785 [Administrative Code - Family Friendly Workplace Ordinance]

Sponsors: Chiu; Cohen, Mar, Campos, Yee, Breed, Avalos and Kim

Ordinance amending the Administrative Code to allow San Francisco-based employees to request flexible or predictable working arrangements to assist with care giving responsibilities, subject to the employer's right to deny a request based on business reasons; prohibit adverse employment actions based on caregiver status; prohibit interference with rights or retaliation against employees for exercising rights under the Ordinance; require employers to post a notice informing employees of their rights under the Ordinance; require employers to maintain records regarding compliance with the Ordinance; authorize enforcement by the Office of Labor Standards Enforcement, including the imposition of remedies and penalties for a violation and an appeal process for an employer to an independent hearing officer; authorize waiver of the provisions of the Ordinance in a collective bargaining agreement; and making environmental findings.

FINALLY PASSED

130863 [Eliminating Official Sidewalk Width - Renovation of Glen Canyon Park - Portion of Elk Street (Between Chenery and Sussex Streets)]

Sponsor: Wiener

Ordinance amending Ordinance No. 1061, entitled "Regulating the Width of Sidewalks," to eliminate the official sidewalk width on a portion of the westerly side of Elk Street, between Chenery and Sussex Streets, for the renovation of Glen Canyon Park; requiring the Recreation and Park Department to address relocation, modification, or both of facilities affected by the sidewalk width change; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED

Recommendations of the Rules Committee

130581 [Appointment Process - Road Commissioner]

Sponsor: Mayor

Ordinance declaring that future appointments done by the City and County of San Francisco for Road Commissioner shall be enacted by Resolution.

FINALLY PASSED

130582 [Appointment, Road Commissioner - Mohammed Nuru]

Sponsor: Mayor

Ordinance appointing Mohammed Nuru, Director of the Department of Public Works, as Road Commissioner for the City and County of San Francisco; repealing Ordinance No. 160-10.

FINALLY PASSED

130696 [Settlement of Lawsuit - Jessica Orozco - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Jessica Orozco against the City and County of San Francisco for $50,000; the lawsuit was filed on March 13, 2012, in San Francisco Superior Court, Case No. CGC-12-519124; entitled Jessica Orozco v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

130697 [Settlement of Lawsuit - Andrew Melomet - $40,000]

Ordinance authorizing settlement of the lawsuit filed by Andrew Melomet against the City and County of San Francisco for $40,000; the lawsuit was filed on February 2, 2012, in California Superior Court, San Francisco Branch, Case No. CGC-12-518471, entitled Andrew Melomet v. City and County of San Francisco Human Services Agency; said lawsuit was removed to United States District Court for the Northern District of California, Case No. C 12-03101 EDL. (City Attorney's Office)

FINALLY PASSED

130757 [Settlement of Lawsuit - Joseph P. Cuviello, Deniz Bolbol, and Alex Felsinger - $180,000]

Ordinance authorizing settlement of the lawsuit filed by Joseph P. Cuviello, Deniz Bolbol, and Alex Felsinger against the City and County of San Francisco for $180,000 in the United States District Court for the Northern District of California, Case No. CV-12-3034-EMC; entitled Cuviello et al. v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

130758 [Settlement of Lawsuit - Ana Pichardo - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Ana Pichardo against the City and County of San Francisco for $50,000; the lawsuit was filed on May 9, 2012, in United States District Court, Case No. C12-4042; entitled Ana Pichardo v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

130759 [Settlement of Lawsuit - Bank of America N.A. - $975,000]

Ordinance authorizing settlement of the lawsuit filed by Bank of America N.A. against the City and County of San Francisco for $975,000; the lawsuit was filed on September 9, 2010, in San Francisco Superior Court, Case No. CGC-10-503389; entitled Bank of America N.A. v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

130803 [Settlement of Lawsuit - Lloyd O'Neil - $185,000]

Ordinance authorizing the settlement of the lawsuit filed by Lloyd O'Neal against the City and County of San Francisco for $185,000; the lawsuit was filed on September 29, 2011, in San Francisco Superior Court, Case No. CGC 11-514739; entitled Lloyd O'Neal v. City and County Of San Francisco. (City Attorney's Office)

FINALLY PASSED

130854 [Settlement of Lawsuit - Erik Russell - $30,000]

Ordinance authorizing settlement of the lawsuit filed by Erik Russell against the City and County of San Francisco for $30,000; the lawsuit was filed on February 24, 2012, in United States District Court, Northern District of California, Case No. 12-CV-00929 JCS; entitled Erik Russell, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

130855 [Settlement of Lawsuit - E. Lynn Schoenmann - $160,000]

Ordinance authorizing settlement of the lawsuit filed by E. Lynn Schoenmann against the City and County of San Francisco for $160,000; the lawsuit was filed on December 10, 2012, in Bankruptcy Court, Case No. 12-32146-HLB; Adv. Proc. No. 12-03170; entitled E. Lynn Schoenmann, Trustee, et al., v. City and County of San Francisco. (City Attorney's Office)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

130966 [Adopting Findings Related to Conditional Use Application - 3771 and 3781 Cesar Chavez Street]

Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 18930, approving Conditional Use Application identified as Planning Case No. 2013.0259CV on property located at 3771 and 3781 Cesar Chavez Street, pursuant to Motion No. M13-11, approved September 17, 2013. (Clerk of the Board)

Motion No. M13-122

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130790 [Business and Tax Regulations, Police Codes - Renting Parking Spaces at Residential Properties to Non-Residents]

Sponsor: Wiener

Ordinance amending the Business and Tax Regulations and Police Codes to change the limits of Parking Tax Occupancy Simplification for residential properties by increasing, from five to 10, the number of parking spaces residential buildings may rent to non-residents and increasing the gross revenue they may earn from rent from $4,000 to $12,000 per quarter and from $15,000 to $40,000 annually; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130885 [Certificates of Participation - Treasure Island Improvement Project - Not to Exceed $13,500,000]

Sponsor: Mayor

Resolution authorizing the execution and delivery of not to exceed $13,500,000 of Certificates of Participation (Certificates) or other forms of indebtedness to finance the cost of additions and improvements to the utility infrastructure at Treasure Island; authorizing the Director of Public Finance to cause the preparation of documents necessary for the execution and delivery of the certificates or other forms of indebtedness, including a Trust Agreement, a Property Lease, a Project Lease, Notice of Sale, Official Notice of Sale, an Official Statement and, if required, a Purchase Contract and such other necessary documents; authorizing the Director of Public Finance to cause the issuance of commercial paper certificates in an amount not to exceed $13,500,000 in anticipation of the issuance of the certificates or other forms of indebtedness; granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of the certificates or other form of indebtedness and the Commercial Paper Certificates; approving modifications to documents and agreements; making California Environmental Quality Act findings, and a General Plan consistency determination; and ratifying previous actions taken in connection therewith.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130883 [Appropriation - Certificates of Participation - Utility Infrastructure System - Treasure Island - $13,500,000 - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating $13,500,000 of Certificate of Participation proceeds to finance improvements to the Utility Infrastructure System at Treasure Island beginning in FY2013-2014.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130884 [Cooperative Agreement Modification - United States Navy - Treasure Island Development Authority]

Sponsor: Mayor

Resolution retroactively approving and authorizing the Treasure Island Development Authority to enter into a Modification of the Cooperative Agreement with the United States Navy to extend the Cooperative Agreement for the period of October 1, 2013, through September 30, 2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130886 [Memorandum of Understanding - Treasure Island Development Authority and the Public Utilities Commission - Provision of Utilities Services - Treasure Island and Yerba Buena Island]

Sponsor: Mayor

Resolution retroactively approving a Memorandum of Understanding between the Treasure Island Development Authority and the Public Utilities Commission for the provision of utilities services including the maintenance and operation of utility infrastructure on Treasure Island and Yerba Buena Island for the period of October 1, 2013, through September 30, 2014.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130810 [Contract Amendment - Cornerstone Technology Partners, JV - $22,820,000]

Resolution authorizing the Office of Contract Administration to enter into the Fourth Amendment between the City and Comerstone Technology Partners, JV (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from $12,490,000 to $22,820,000 for the term ending December 31, 2013. (Office of Contract Administration)

Privilege of the floor was granted to Bill Jones (Office of Contract Administration) who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130811 [Contract Amendment - En Pointe Technology Sales, Inc. - $64,810,000]

Resolution authorizing the Office of Contract Administration to enter into the Seventh Amendment between the City and En Pointe Technology Sales, Inc. ("En Pointe," part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from $54,640,000 to $64,810,000 for the term ending December 31, 2013. (Office of Contract Administration)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130812 [Contract Amendment - CCT Technologies, Inc., dba ComputerLand of Silicon Valley - $43,850,000]

Resolution authorizing the Office of Contract Administration to enter into the Fifth Amendment between the City and CCT Technologies, Inc., dba ComputerLand of Silicon Valley (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from $34,950,000 to $43,850,000 for the term ending December 31, 2013. (Office of Contract Administration)

Privilege of the floor was granted to Bill Jones (Office of Contract Administration) and Harvey Rose, Budget and Legislative Analyst, who responded to questions raised throughout the discussion.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130813 [Contract Amendment - Xtech - $79,830,000]

Resolution authorizing the Office of Contract Administration to enter into the Seventh Amendment between the City and Xtech (part of the Technology Store procurement vehicle), in which the amendment shall increase the contract limit from $68,380,000 to $79,830,000 for the term ending December 31, 2013. (Office of Contract Administration)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130889 [Application Approval - Comprehensive HIV Prevention Programs - $8,001,007]

Sponsors: Wiener; Campos

Resolution authorizing the Department of Public Health to submit a one-year application for calendar year 2014 to continue receiving funding for the Comprehensive HIV Prevention Programs grant from the Centers for Disease Control and Prevention; and requesting $8,001,007 in HIV prevention funding for San Francisco from January 1, 2014, through December 31, 2014.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee

130608 [Board Response - Civil Grand Jury Report - Log Cabin Ranch: Planning for the Future, a Continuity Report]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2012-2013 Civil Grand Jury Report, entitled "Log Cabin Ranch: Planning for The Future, A Continuity Report;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130394 [Follow-Up Board Response - 2011-2012 Civil Grand Jury Report - Deja Vu All Over Again: San Francisco's City Technology Needs a Culture Shock]

Motion responding to the 2012-2013 Civil Grand Jury request to provide a status update on the Board of Supervisors' responses to the relevant recommendations issued in the 2011-2012 Civil Grand Jury Report entitled, "Déjà Vu All Over Again: San Francisco's City Technology Needs a Culture Shock." (Government Audit and Oversight Committee)

Motion No. M13-123

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

130877 [Street Encroachment - Operator Convenience Facilities - Terminus of Muni Transit Lines]

Resolution granting revocable permission to the Municipal Transportation Agency to occupy portions of the public right-of-way to install and maintain two new operator convenience facilities at the terminus of various Muni bus routes; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

There were none.

Supervisor Farrell was noted absent at 3:38 p.m. and noted present at 3:45 p.m.

SPECIAL ORDER 3:00 P.M.

130843 [Public Hearing - Appeal of Final Mitigated Negative Declaration - 480 Potrero Avenue]

Hearing of persons interested in or objecting to the Planning Commission's approval of a Final Mitigated Negative Declaration (Case No. 2011.0430E) adopted and issued on August 8, 2013, for the proposed construction of a six-story, 58-foot-tall mixed-use building, which would include residential, ground-floor retail, and parking uses within the UMU (Urban Mixed Use) Zoning District and a 58-X Height and Bulk District, on property located at 480 Potrero Avenue, Assessor's Block No. 3973, Lot No. 002C. (District 10) (Appellants: Jean Bogiages and Juan M. Jayo, on behalf of the Mariposa Utah Neighborhood Association; and Mica I. Ringel) (Filed August 28, 2013). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Juan Jayo, Mica Ringel, and Jean Bogiages (Appellants) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Olga Kist; Female Speaker; Francisco Da Costa; Ray Hartz; Dean Dinelli; Female Speaker; Adam Ringel; Erin Huff; Dr. Diane Ringel; spoke in support of the appeal. Don Lewis and Sarah Jones (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Siavash Tahbazof, John Goodman, and Reza Khoshnevisan (Project Sponsors) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Steve Pullen; Daniel Brighton; Juan Sanchez; Edmund Juicye; spoke in support of the project and in opposition to the appeal. Mica Ringel and Juan Jayo (Appellants) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

130844 [Affirming the Approval of a Final Mitigated Negative Declaration - 480 Potrero Avenue]

Motion affirming the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for a project located at 480 Potrero Avenue.

Supervisor Cohen, seconded by Supervisor Campos, moved that this Motion be CONTINUED to October 22, 2013, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130845 [Reversing the Approval of a Final Mitigated Negative Declaration - 480 Potrero Avenue]

Motion reversing the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for a project located at 480 Potrero Avenue.

Supervisor Cohen, seconded by Supervisor Campos, moved that this Motion be CONTINUED to October 22, 2013, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130846 [Preparation of Findings to Reverse the Approval of a Final Mitigated Negative Declaration - 480 Potrero Avenue]

Motion directing the Clerk of the Board to prepare findings reversing the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for a project located at 480 Potrero Avenue.

Supervisor Cohen, seconded by Supervisor Campos, moved that this Motion be CONTINUED to October 22, 2013, at 3:00 p.m. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Supervisor Farrell was noted absent at 5:01 p.m. for the remainder of the meeting.

PUBLIC COMMENT

Gino Papi; expressed concerns relating to pending BART strike.
Abdallah Megahed; expressed various concerns.
Peter Warfield; expressed concerns relating to the SF Public Library and Librarian.
David Bancroft; spoke in support of utility undergrounding.
James Chaffee; expressed concerns relating to the SF Public Library and Librarian.
Kimberley Jones; expressed concerns relating to pedestrian safety.
Nienke Schouten; expressed concerns relating to pedestrian safety.
Monique Porsandeh; expressed concerns relating to pedestrian safety.
Tom Gilberty; expressed various concerns.
John DiDonna; shared in poem certain concerns with the Board.
Christopher Galt; expressed various concerns.
Ray Hartz; expressed concerns relating to government and Librarian.
Edmund Juicye; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

130978 [Domestic Violence Awareness Month - October 2013]

Sponsors: Chiu; Tang, Campos and Mar

Resolution declaring October 2013 as Domestic Violence Awareness Month in the City and County of San Francisco.

Supervisors Campos and Mar requested to be added as co-sponsors.

ADOPTED

130963 [Final Map 6945 - Avocet Way]

Motion approving Final Map 6945, a three Lot Subdivision being a merger and re-subdivision of Lots Nos. 042 - 059 and Lot O, and an 18 Unit Residential Condominium Project, located at Avocet Way, being a subdivision of Assessor's Block No. 4591C, Lot Nos. 049 through 067, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-124

APPROVED

130964 [Final Map 6946 - Avocet Way]

Motion approving Final Map 6946, a three Lot Subdivision being a merger and re-subdivision of Lots Nos. 080 through 097 and Lot P, and an 18 Unit Residential Condominium Project, located at Avocet Way being a subdivision of Assessor's Block No. 4591C, Lot Nos. 110 through 128, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-125

APPROVED

130965 [Final Map 7347 - 2001 Market Street and 38 Dolores Street]

Motion approving Final Map 7347, a four Lot Airspace Subdivision and 92 Units Mixed-Use Condominium Project, located at 2001 Market Street and 38 Dolores Street being a subdivision of Assessor's Block No. 3535, Lot No. 041, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-126

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Wiener, Yee
Absent: 1 - Farrell

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

130955 [Settlement of Administrative Enforcement Action - San Francisco Bay Regional Water Quality Control Board - $608,310]

Ordinance authorizing settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against the City and County of San Francisco for $608,310; and appropriating $608,310 for this purpose from the Public Utilities Commission Water Enterprise fund balance. (City Attorney's Office)

09/27/13; RECEIVED FROM DEPARTMENT.

10/08/13; RECEIVED AND ASSIGNED to Rules Committee.

130956 [Settlement of Lawsuit - Carlos Hutcherson, et al. - $125,000]

Ordinance authorizing settlement of the lawsuit filed by Carlos Hutcherson, Tarasa Gates, and Donald Walton against the City and County of San Francisco for $125,000; the lawsuit was filed on December 21, 2012, in United States District Court, Case No. 12-cv-6481; entitled Carlos Hutcherson, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

09/27/13; RECEIVED FROM DEPARTMENT.

10/08/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

130957 [Settlement of Administrative Enforcement Acton - San Francisco Bay Regional Water Quality Control Board - $69,000]

Resolution approving the settlement of the unlitigated administrative enforcement acton filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of $69,000. (City Attorney's Office)

09/27/13; RECEIVED FROM DEPARTMENT.

10/08/13; RECEIVED AND ASSIGNED to Rules Committee.

130958 [Settlement of Administrative Enforcement Action - Central Valley Regional Water Quality Control Board - $1,000,000]

Resolution approving the settlement of the unlitigated administrative enforcement action filed by the Central Valley Regional Water Quality Control Board against San Francisco imposing a penalty of $1,000,000. (Public Utilities Commission)

09/27/13; RECEIVED FROM DEPARTMENT.

10/08/13; RECEIVED AND ASSIGNED to Rules Committee.

130959 [Settlement of Claim - Adam Holm - $50,000]

Resolution approving the settlement of the unlitigated claim filed by Adam Holm against the City and County of San Francisco for $50,000; claim was filed on March 28, 2013. (City Attorney's Office)

09/27/13; RECEIVED FROM DEPARTMENT.

10/08/13; RECEIVED AND ASSIGNED to Rules Committee.

130960 [Support Goals for Federal Funding - Community Development Block Grant, Emergency Solutions Grant and Housing Opportunities for Persons with AIDS Programs - FY2014-2015]

Resolution supporting FY2014-2015 Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Consolidated Plan Goals. (Mayor's Office of Housing)

09/24/13; RECEIVED FROM DEPARTMENT.

10/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

130961 [Acquisition of Discharge Easements - California Water Service Company - Bay Division Pipeline Nos. 3 and 4 Crossovers Project in San Mateo County - $3,640]

Resolution approving and authorizing the acquisition of two Discharge Easements from the California Water Service Company, a California Corporation, for $3,640 to be used by the City and County of San Francisco (City) for discharge of pipeline water and groundwater, as needed for the installation, construction, modification, removal, inspection, maintenance, repair, and replacement of the water system infrastructure in the City's right of way, including without limitation, periodic scheduled maintenance, emergency repairs, and the construction of the project known as the Bay Division Pipeline Nos. 3 and 4 Crossovers Project No. CUW38001; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

09/26/13; RECEIVED FROM DEPARTMENT.

10/08/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

130962 [Contract Modification - S & S Trucking Corporation - Estimated Cumulative Value of $13,500,000]

Resolution extending an agreement between the City and County of San Francisco and S & S Trucking Corporation from December 20, 2013, through December 19, 2015, and increasing the estimated cumulative contract amount from $9,000,000 to $13,500,000 for hauling biosolids (sludge) and grit, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)

09/30/13; RECEIVED FROM DEPARTMENT.

10/08/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:17 p.m.

10 25 13P03:21 RCVD

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

OCT 25 2013

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Tuesday, October 22, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:30 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Eric Mar, Katy Tang, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:12 p.m. On the call of the roll, Supervisors Cohen, Kim, and Wiener were noted absent. There was a quorum.

Supervisor Cohen was noted present at 2:13 p.m.

Supervisors Kim and Wiener Excused from Voting

Supervisor Campos, seconded by Supervisor Farrell, moved that Supervisors Kim and Wiener be excused from voting. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of September 10, 2013, and September 17, 2013. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that we were in receipt of a correspondence from Mayor Edwin Lee dated October 21, 2013, pursuant to Charter, Section 3.100, and the Administrative Code, Chapter 7, communicating the Mayor's request to the Board of Supervisors to concur in the continuation of a Revised Declaration of Local Emergency, relating to the Rim Fire (Stanislaus National Forest Area), and has been agenized as Item No. 70 on today's agenda.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

130790 [Business and Tax Regulations, Police Codes - Renting Parking Spaces at Residential Properties to Non-Residents]

Sponsor: Wiener

Ordinance amending the Business and Tax Regulations and Police Codes to change the limits of Parking Tax Occupancy Simplification for residential properties by increasing, from five to 10, the number of parking spaces residential buildings may rent to non-residents and increasing the gross revenue they may earn from rent from $4,000 to $12,000 per quarter and from $15,000 to $40,000 annually; and making environmental findings.

FINALLY PASSED

130883 [Appropriation - Certificates of Participation - Utility Infrastructure System - Treasure Island - $13,500,000 - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating $13,500,000 of Certificate of Participation proceeds to finance improvements to the Utility Infrastructure System at Treasure Island beginning in FY2013-2014. (Fiscal Impact)

FINALLY PASSED

Recommendations of the Rules Committee

130740 [Appointment, Pedestrian Safety Advisory Committee - Morgan Fitzgibbons]

Motion appointing Morgan Fitzgibbons, term ending March 28, 2015, to the Pedestrian Safety Advisory Committee. (Clerk of the Board)

Motion No. M13-127

APPROVED

130857 [Appointments, Citizen's Committee on Community Development - Eddie Ahn, Utumn Belfrey, and Peter Cohen]

Motion appointing Eddie Ahn, term ending February 23, 2014, Utuma Belfrey and Peter Cohen, terms ending February 23, 2015, to the Citizen's Committee on Community Development. (Clerk of the Board)

Motion No. M13-128

APPROVED

130908 [Appointments, Reentry Council - Stanley Goff, Joseph Calderon, and Ernest Kirkwood]

Motion appointing Stanley Goff, Joseph Calderon, and Ernest Kirkwood, terms ending June 1, 2014, to the Reentry Council. (Clerk of the Board)

Motion No. M13-129

APPROVED

130909 [Appointment, Bicycle Advisory Committee - Lena-Nsomeka Gomes]

Motion appointing Lena-Nsomeka Gomes, term ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

Motion No. M13-130

APPROVED

130911 [Appointments, Treasury Oversight Committee - Ben Rosenfield, Joseph Grazioli, and Aimee Brown]

Motion appointing Ben Rosenfield, Joseph Grazioli, and Aimee Brown, terms ending June 5, 2017, to the Treasury Oversight Committee. (Clerk of the Board)

Motion No. M13-131

APPROVED

130949 [Appointments, Child Care Planning and Advisory Council - Melinda Kanter-Levy and Lourdes Alarcon]

Motion appointing Melinda Kanter-Levy, residency requirement waived, and Lourdes Alarcon, terms ending March 19, 2016, to the Child Care Planning and Advisory Council. (Clerk of the Board)

Motion No. M13-132

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

REGULAR AGENDA

UNFINISHED BUSINESS

There were no items.

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130822 [Administrative Code - Mayor's Fund for the Homeless]

Sponsors: Mayor; Farrell, Kim and Campos

Ordinance amending the Administrative Code to transfer administration of the Mayor's Fund for the Homeless from the Director of the Human Services Agency to the Director of the Mayor's Office of Housing Opportunities, Partnerships and Engagement (HOPE).

Supervisor Cohen, seconded by Supervisor Breed, moved that this Ordinance be CONTINUED ON FIRST READING to October 29, 2013. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130777 [Lease - American Airlines, Inc. - $4,355,869 Annually]

Resolution approving and authorizing the execution of Lease No. L13-0071 for a portion of the SuperBay Hangar and appurtenant land to be occupied by American Airlines, Inc., at Plot 40 at the San Francisco International Airport for $4,355,869 annually for a term of three-years, to commence following Board approval, with two one-year options. (Airport Commission)

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130779 [Lease - American Express Travel Related Services Company, Inc. - $1,515,475.37 Estimated Annually]

Resolution approving the Terminal 3 Common Use Club Lease between American Express Travel Related Services Company, Inc., and the City and County of San Francisco, acting by and through its Airport Commission for a ten-year term, to commence following Board approval, with an estimated annual rent of $1,515,475.37. (Airport Commission)

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130856 [Interconnection Agreement - Pacific Gas and Electric Company - Solar Power Project - 700 Pennsylvania Avenue]

Resolution authorizing the Public Utilities Commission's General Manager to enter into a long term interconnection agreement with Pacific Gas and Electric Company, to commence following Board approval, for a Solar Power Project at the Municipal Transportation Agency building located 700 Pennsylvania Avenue, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130888 [Authorizing the Office of Economic and Workforce Development to Identify and Recommend Small Businesses - Kiva Zip's Microlending Platform]

Sponsors: Farrell; Campos, Yee, Cohen, Chiu, Breed and Mar

Resolution authorizing the Office of Economic and Workforce Development to identify and recommend small businesses on behalf of the City and County of San Francisco for participation in a Microlending Program operated by Kiva Microfunds, a California non-profit public benefit corporation.

Supervisors Breed and Mar requested to be added as co-sponsors.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130890 [Accept and Expend Grant - Safe Routes to School Program - $1,439,000]

Sponsors: Yee; Mar

Resolution authorizing the Department of Public Health to accept and expend a grant in the amount of $1,439,000 in Federal Surface Transportation Program and/or Congestion Mitigation and Air Quality Improvements Funds through the Metropolitan Transportation Commission's Safe Routes to School Grant Program for the period of September 1, 2014, through August 31, 2017; and waiving indirect costs; committing the necessary matching funds; stating assurance to complete the project, and delegating authorization to execute these agreements, and any amendments thereto, to the Director of Public Health.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130940 [Contract Agreement - IPS Group, Inc. - Award of Single-Space Parking Meter Procurement and Support Services - Not to Exceed $54,000,000]

Sponsor: Avalos

Resolution authorizing the Municipal Transportation Agency to enter into an agreement with IPS Group, Inc., for the procurement of single-space parking meters and support services, for an amount not to exceed $54,000,000 and for a term of five years, to commence following Board approval, with the option to extend the contract for up to two additional years.
(Fiscal Impact)
(Supervisor Farrell dissented in Committee.)

Supervisor Avalos, seconded by Supervisor Cohen, moved that this Resolution be CONTINUED to November 5, 2013. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130941 [Authorizing Use of Previously Approved Funds for Non-Optional Services in Parking Citation Processing Agreement - PRWT Services, Inc. - Approximately $6,835,709]

Sponsor: Mar

Resolution authorizing the Municipal Transportation Agency to use funds totaling approximately $6,835,709 previously designated by the Board of Supervisors for optional services under the two-year parking citation processing contract extension with PRWT Services, Inc., to be used instead for non-optional, required services.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130942 [Approval of the Ryan White Act HIV/AIDS Emergency Relief Grant Program Application - $36,118,233]

Sponsor: Wiener

Resolution authorizing the Department of Public Health to submit an application to continue to receive funding for the Ryan White Act HIV/AIDS Emergency Relief Grant Program (Ryan White Programs, Part A) Grant from the Health Resources Services Administration, requesting $36,118,233 in HIV emergency relief program funding for the San Francisco Eligible Metropolitan Area for the period of March 1, 2014, through February 28, 2015.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130972 [Accept and Expend Grant - FY2013 Lead Hazard Reduction Demonstration Grant Program - $3,000,000]

Sponsor: Mayor

Resolution retroactively authorizing the Mayor's Office of Housing and Community Development to accept and expend a grant from the U.S. Department of Housing and Urban Development for FY2013 Lead Hazard Reduction Demonstration Program in the amount of $3,000,000 and to expend associated program income not to exceed $200,000 for the period of August 1, 2013, through July 31, 2016.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130973 [Application - Sheriff's Department - Construction of Adult Local Criminal Justice Facilities]

Sponsors: Mayor; Chiu

Resolution authorizing the Sheriff's Department to submit an application to the Board of State and Community Corrections, pursuant to California State Senate Bill 1022 (2012), for a proposed project to replace County Jail No. 3 and County Jail No. 4 and to seek funding preference for such application; declaring the availability and adequacy of $8,900,000 in cash contribution funds for the proposed project; and conditionally approving the form and execution of associated financing and construction documents.
(Supervisor Mar dissented in Committee.)

Privilege of the floor was granted to Jason Elliott (Mayor's Office), Ryan Strong (City Administrator's Office), Matt Freeman, Chief Deputy Sheriff, Ben Rosenfield, Controller, and Jim Buker (Department of Public Works), who responded to questions raised throughout the discussion.

Supervisor Mar, seconded by Supervisor Farrell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

Resolution authorizing the Sheriff's Department to submit an application to the Board of State and Community Corrections, pursuant to California State Senate Bill 1022 (2012), for a proposed project to replace County Jail No. 3 and County Jail No. 4 and to seek funding preference for such application; outlining the cash contribution funds for the proposed project; and conditionally approving the form and execution of associated financing and construction documents.

Resolution No. 364-13

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130975 [Accept and Expend Grant - FY2012 CalHome Program - $1,500,000]

Sponsor: Farrell

Resolution authorizing the Mayor's Office of Housing and Community Development to accept and expend a grant from the California Department of Housing and Community Development for the FY2012 CalHome Program in a total amount of $1,500,000 and to expend program income from associated loan repayments to assist low-income first-time homebuyers and low-income homeowners, to commence following Board approval, until funds are expended.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130976 [Accept and Expend Grant - FY2013 Housing Opportunities for Persons with AIDS Performance Renewal - $1,461,622]

Sponsors: Wiener; Campos and Cohen

Resolution authorizing the Mayor's Office of Housing and Community Development, on behalf of the City, to accept and expend the FY2013 Housing Opportunities for Persons with AIDS Performance Renewal Grant from the U.S. Department of Housing and Urban Development in the amount of $1,461,622 for the period of December 1, 2013, through November 30, 2016.

Supervisors Campos and Cohen requested to be added as co-sponsors.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

Recommendations of the Government Audit and Oversight Committee

130912 [Collective Bargaining Agreement, Amendment No. 1 - Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers, by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130913 [Collective Bargaining Agreement, Amendment No. 1 - Crafts Coalition]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 166; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Carpet, Linoleum, and Soft Tile Workers, Local 12; Plasterers and Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130914 [Collective Bargaining Agreement, Amendment No. 2 - Crafts Coalition]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 166; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Carpet, Linoleum and Soft Tile Workers, Local 12; Plasterers and Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130915 [Collective Bargaining Agreement, Amendment No. 1 - San Francisco District Attorney Investigators' Association]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and San Francisco District Attorney Investigators' Association by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130916 [Collective Bargaining Agreement, Amendment No. 1 - San Francisco Deputy Probation Officers' Association]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and San Francisco Deputy Probation Officers' Association by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130917 [Collective Bargaining Agreement, Amendment No. 2 - San Francisco Deputy Probation Officers' Association]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and San Francisco Deputy Probation Officers' Association by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130918 [Collective Bargaining Agreement, Amendment No. 2 - San Francisco Deputy Sheriffs' Association]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130919 [Collective Bargaining Agreement, Amendment No. 1 - International Brotherhood of Electrical Workers, Local 6]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130920 [Collective Bargaining Agreement, Amendment No. 1 - International Federation of Professional and Technical Engineers, AFL-CIO, Local 21]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21, by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130921 [Collective Bargaining Agreement, Amendment No. 2 - International Federation of Professional and Technical Engineers, AFL-CIO, Local 21]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21, by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130922 [Collective Bargaining Agreement, Amendment No. 1 - San Francisco Institutional Police Officers' Association]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130923 [Collective Bargaining Agreement, Amendment No. 1 - Municipal Attorneys' Association]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Municipal Attorneys' Association by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130924 [Collective Bargaining Agreement, Amendment No. 2 - San Francisco Sheriffs' Managers and Supervisors Association]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and San Francisco Sheriffs' Managers and Supervisors Association by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130925 [Collective Bargaining Agreement, Amendment No. 1 - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130926 [Collective Bargaining Agreement, Amendment No. 1 - San Francisco City Workers United]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and San Francisco City Workers United by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130927 [Collective Bargaining Agreement, Amendment No. 1 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130928 [Collective Bargaining Agreement, Amendment No. 2 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130929 [Collective Bargaining Agreement, Amendment No. 1 - Stationary Engineers, Local 39]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and Stationary Engineers, Local 39, by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130930 [Collective Bargaining Agreement, Amendment No. 1 - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers, by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130931 [Collective Bargaining Agreement, Amendment No. 1 - Teamsters, Local 856 (Multi-Unit)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and Teamsters, Local 856 (Multi-Unit) by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130932 [Collective Bargaining Agreement, Amendment No. 2 - Teamsters, Local 856 (Multi-Unit)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and Teamsters, Local 856 (Multi-Unit) by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130933 [Collective Bargaining Agreement, Amendment No. 1 - The Transport Workers Union, AFL-CIO, Local 200]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and The Transport Workers Union, AFL-CIO, Local 200, by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130934 [Collective Bargaining Agreement, Amendment No. 2 - The Transport Workers Union, AFL-CIO, Local 200]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and The Transport Workers Union, AFL-CIO, Local 200, by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130935 [Collective Bargaining Agreement, Amendment No. 1 - Union of American Physicians and Dentists (Unit 17)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 17) by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130936 [Collective Bargaining Agreement, Amendment No. 1 - Union of American Physicians and Dentists (Unit 18)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 18) by implementing specified terms and conditions of employment for FY2013-2014.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130687 [Board Response - Civil Grand Jury Report - "Building a Better Future at the Department of Building Inspection"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2012-2013 Civil Grand Jury Report entitled "Building a Better Future at the Department of Building Inspection;" and urging the Mayor to cause the implementation of accepted findings and recommendations through his/her department heads and through the development of the annual budget. (Clerk of the Board)
(Supervisor Campos dissented in Committee.)

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

Recommendations of the Land Use and Economic Development Committee

130372 [Planning Code, Zoning Map - Third Street Formula Retail Restricted Use District]

Sponsor: Cohen

Ordinance amending the Planning Code to create the Third Street Formula Retail Restricted Use District; amending Zoning Map Sheet SU10, for property located on Third Street between Williams Avenue and Paul Street; and making findings, including environmental findings pursuant to the California Environmental Quality Act, findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130979 [Encroachment Permit, Gift Acceptance - Hidden Garden Tiled Steps Project - 16th Avenue between Kirkham and Lawton Streets]

Sponsor: Yee

Resolution granting revocable permission to The Hidden Garden Steps Organizing Committee to occupy a portion of the public right-of-way to install and maintain a mosaic tiled mural on the risers, and non-slip paving tiles on the treads of the existing City concrete stairway, and a garden habitat adjacent to the existing concrete City stairway, along 16th Avenue between Kirkham and Lawton Streets; accepting, as a gift to the City, said tiled steps, garden habitat, and a $20,000 maintenance fund for the tiled steps; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Resolution No. 365-13

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

Recommendations of the Neighborhood Services and Safety Committee

130585 [Police Code - Large Capacity Magazines; Sales of Firearms and Ammunition; Reporting Lost or Stolen Firearms; Shooting Ranges]

Sponsors: Cohen; Chiu, Campos, Yee, Mar and Breed

Ordinance amending the Police Code to ban the possession of large capacity magazines for firearm ammunition; require that dealers advise persons purchasing a firearm of local firearms laws; establish a rebuttable presumption that the owner who has not reported the theft or loss of a firearm as required by law remains in possession of the firearm; modify certain requirements for ammunition sales; and prohibit the operator of a shooting range from allowing minors to enter the premises.

Supervisor Breed requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

120864 [Liquor License - 1600 Post Street]

Resolution determining that the issuance of a Type 21 off-sale general license to Paul SukChan Lee for Han Mi Gift Center, located at 1600 Post Street (District 5), will serve the public convenience and necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130611 [Liquor License Transfer - 101 Spear Street]

Resolution determining that the transfer of a Type 21 off-sale general license from 3032 Clement Street to 101 Spear Street (District 6), to Brian Sheehy for Future Beverage Inc., dba Cask at Rincon, will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

Recommendations of the Rules Committee

130402 [Health, Business and Tax Regulations Codes - Safe Body Art]

Ordinance amending the Health Code by repealing miscellaneous sections relating to tattooing and adding Article 40 to require body art practitioners to register with the Department of Public Health (DPH) and to annually renew registration, and to require permanent and temporary body art facilities to obtain and annually renew permits with DPH; amending the Business and Tax Regulations Code by adding fees relating to body art permits and licenses; and making environmental findings. (Public Health Department)

Supervisor Avalos, seconded by Supervisor Mar, moved that this Ordinance be RE-REFERRED to the Rules Committee. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130584 [Administrative Code - California Benefit Corporation Discount Program - Contract Monitoring Division]

Sponsor: Chiu

Ordinance amending the Administrative Code by transferring the implementation of the California Benefit Corporation Discount Program from the Human Rights Commission to the Contract Monitoring Division of the City Administrator.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Mar, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Kevin Truitt and Martha Vega of the San Francisco Unified School District in recognition of their accomplishments relating to the Free Muni for Youth Program and continued community support.

SPECIAL ORDER 3:00 P.M.

From the Board

130844 [Affirming the Approval of a Final Mitigated Negative Declaration - 480 Potrero Avenue]

Motion affirming the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for a project located at 480 Potrero Avenue. (Clerk of the Board)

Motion No. M13-133

Supervisor Cohen, seconded by Supervisor Breed, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130845 [Reversing the Approval of a Final Mitigated Negative Declaration - 480 Potrero Avenue]

Motion reversing the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for a project located at 480 Potrero Avenue. (Clerk of the Board)

Supervisor Cohen, seconded by Supervisor Breed, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130846 [Preparation of Findings to Reverse the Approval of a Final Mitigated Negative Declaration - 480 Potrero Avenue]

Motion directing the Clerk of the Board to prepare findings reversing the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for a project located at 480 Potrero Avenue. (Clerk of the Board)

Supervisor Cohen, seconded by Supervisor Breed, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

SPECIAL ORDER 3:00 P.M.

130896 [Public Hearing - Appeal of Final Mitigated Negative Declaration - 1050 Valencia Street]

Hearing of persons interested in or objecting to the Planning Commission's approval of a Final Mitigated Negative Declaration (Case No. 2007.1457E) adopted and issued on September 30, 2010, for the proposed demolition of an existing one-story commercial building and construction of a five-story mixed-use building within the Valencia Street NCT (Neighborhood Commercial Transit) Zoning District and a 55-X Height and Bulk District on property located at 1050 Valencia Street, Assessor's Block No. 3617, Lot No. 008. (District 8) (Appellant: Stephen M. Williams on behalf of the Liberty Hill Neighborhood Association) (Filed September 12, 2013). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to a proposed continuance. There were no speakers.

Supervisor Yee, seconded by Supervisor Breed, moved that this Hearing be CONTINUED to November 5, 2013, at 3:00 p.m. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

The President CONTINUED the Hearing open to November 5, 2013, at 3:00 p.m.

130897 [Affirming the Approval of a Final Mitigated Negative Declaration - 1050 Valencia Street]

Motion affirming the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for a project located at 1050 Valencia Street. (Clerk of the Board)

Supervisor Yee, seconded by Supervisor Breed, moved that this Motion be CONTINUED to November 5, 2013, at 3:00 p.m. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130898 [Reversing the Approval of a Final Mitigated Negative Declaration - 1050 Valencia Street]

Motion reversing the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for a project located at 1050 Valencia Street. (Clerk of the Board)

Supervisor Yee, seconded by Supervisor Breed, moved that this Motion be CONTINUED to November 5, 2013, at 3:00 p.m. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

130899 [Preparation of Findings to Reverse the Approval of a Final Mitigated Negative Declaration - 1050 Valencia Street]

Motion directing the Clerk of the Board to prepare findings reversing the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for a project located at 1050 Valencia Street. (Clerk of the Board)

Supervisor Yee, seconded by Supervisor Breed, moved that this Motion be CONTINUED to November 5, 2013, at 3:00 p.m. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library and Librarian.
Peter Warfield; expressed concerns relating to the SF Public Library and Librarian.
Male Speaker; expressed support for poetry and open government.
Tom Gilberty; expressed various concerns relating to the economy.
David Elliott Lewis; expressed concerns relating to displacement, eviction, and rent controls.
Brenda Marilson; expressed concerns relating to workplace bullying.
Ace Washington; shared in song various concerns with the Board.
Douglas Yep; expressed various concerns.
Male Speaker; expressed various religious concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

131003 [Ocean View, Merced Heights, Ingleside Neighbors in Action Day - October 24, 2013]

Sponsors: Avalos; Campos

Resolution declaring October 24, 2013, as Ocean View, Merced Heights, Ingleside Neighbors in Action Day in the City and County of San Francisco.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED

131004 [Commemorating the National Housing Law Project - 45th Anniversary]

Sponsors: Chiu; Campos

Resolution commemorating the National Housing Law Project on their 45th Anniversary for their distinguished service in advocating on behalf of our most vulnerable families' housing needs.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED

131005 [Behavioral Health Court Day - October 16, 2013]

Sponsors: Farrell; Chiu and Campos

Resolution declaring October 16, 2013, as Behavioral Health Court Day in the City and County of San Francisco.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED

130988 [Final Map 6293 - 1266 9th Avenue]

Motion approving Final Map 6293, a one Lot Subdivision, a 15 Residential Unit and one Commercial Unit, Mixed-Use Condominium Project, located at 1266 9th Avenue being a subdivision of Assessor's Block No. 1742, Lot No. 043, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-134

APPROVED

130989 [Final Map 4256 - 1844 Market Street]

Motion approving Final Map 4256, a 113 Residential Unit and three Commercial Unit, Mixed-Use Condominium Project, located at 1844 Market Street being a subdivision of Assessor's Block No. 0871, Lot No. 016, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-135

APPROVED

131015 [Concurring in the Continuation of the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Motion concurring in the continuation of the Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency and directing the Clerk of the Board to agendize this matter 30 days from the date of passage of the proposed Motion or until terminated by the Mayor or the Board of Supervisors. (Clerk of the Board)

Motion No. M13-136

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 131016 be severed so that it may be considered separately.

131016 [Buck Delventhal Day - November 20, 2013]

Sponsors: Wiener; Campos

Resolution declaring October 23, 2013, as Buck Delventhal Day in the City and County of San Francisco in recognition of his receipt of two prestigious awards honoring his contributions in the field of municipal law and his longstanding service and ongoing leadership in the San Francisco City Attorney's Office.

Supervisor Campos requested to be added as a co-sponsor.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

Resolution declaring November 20, 2013, as Buck Delventhal Day in the City and County of San Francisco in recognition of his receipt of two prestigious awards honoring his contributions in the field of municipal law and his longstanding service and ongoing leadership in the San Francisco City Attorney's Office.

Supervisor Farrell, seconded by Supervisor Campos, moved that this Resolution be CONTINUED AS AMENDED to November 19, 2013. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Yee
Excused: 2 - Kim, Wiener

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, October 29, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

29/13

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:30 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

GOVERNMENT
DOCUMENTS DEPT

NOV - 1 2013

SAN FRANCISCO
PUBLIC LIBRARY

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Cohen, moved to approve the Board Meeting Minutes of September 24, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

130822 [Administrative Code - Mayor's Fund for the Homeless]

Sponsors: Mayor; Farrell, Kim and Campos

Ordinance amending the Administrative Code to transfer administration of the Mayor's Fund for the Homeless from the Director of the Human Services Agency to the Director of the Mayor's Office of Housing Opportunities, Partnerships and Engagement (HOPE).

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee

130912 [Collective Bargaining Agreement, Amendment No. 1 - Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130913 [Collective Bargaining Agreement, Amendment No. 1 - Crafts Coalition]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 166; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Carpet, Linoleum, and Soft Tile Workers, Local 12; Plasterers and Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130914 [Collective Bargaining Agreement, Amendment No. 2 - Crafts Coalition]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 166; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Carpet, Linoleum and Soft Tile Workers, Local 12; Plasterers and Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:06 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Cohen, moved to approve the Board Meeting Minutes of September 24, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

There were no items.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

130822 [Administrative Code - Mayor's Fund for the Homeless]

Sponsors: Mayor; Farrell, Kim and Campos

Ordinance amending the Administrative Code to transfer administration of the Mayor's Fund for the Homeless from the Director of the Human Services Agency to the Director of the Mayor's Office of Housing Opportunities, Partnerships and Engagement (HOPE).

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee

130912 [Collective Bargaining Agreement, Amendment No. 1 - Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130913 [Collective Bargaining Agreement, Amendment No. 1 - Crafts Coalition]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 166; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Carpet, Linoleum, and Soft Tile Workers, Local 12; Plasterers and Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130914 [Collective Bargaining Agreement, Amendment No. 2 - Crafts Coalition]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 166; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Carpet, Linoleum and Soft Tile Workers, Local 12; Plasterers and Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130915 [Collective Bargaining Agreement, Amendment No. 1 - San Francisco District Attorney Investigators' Association]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and San Francisco District Attorney Investigators' Association by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130916 [Collective Bargaining Agreement, Amendment No. 1 - San Francisco Deputy Probation Officers' Association]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and San Francisco Deputy Probation Officers' Association by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130917 [Collective Bargaining Agreement, Amendment No. 2 - San Francisco Deputy Probation Officers' Association]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and San Francisco Deputy Probation Officers' Association by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130918 [Collective Bargaining Agreement, Amendment No. 2 - San Francisco Deputy Sheriffs' Association]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Deputy Sheriffs' Association by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130919 [Collective Bargaining Agreement, Amendment No. 1 - International Brotherhood of Electrical Workers, Local 6]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130920 [Collective Bargaining Agreement, Amendment No. 1 - International Federation of Professional and Technical Engineers, AFL-CIO, Local 21]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130921 [Collective Bargaining Agreement, Amendment No. 2 - International Federation of Professional and Technical Engineers, AFL-CIO, Local 21]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130922 [Collective Bargaining Agreement, Amendment No. 1 - San Francisco Institutional Police Officers' Association]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130923 [Collective Bargaining Agreement, Amendment No. 1 - Municipal Attorneys' Association]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Municipal Attorneys' Association by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130924 [Collective Bargaining Agreement, Amendment No. 2 - San Francisco Sheriffs' Managers and Supervisors Association]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and San Francisco Sheriffs' Managers and Supervisors Association by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130925 [Collective Bargaining Agreement, Amendment No. 1 - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130926 [Collective Bargaining Agreement, Amendment No. 1 - San Francisco City Workers United]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and San Francisco City Workers United by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130927 [Collective Bargaining Agreement, Amendment No. 1 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130928 [Collective Bargaining Agreement, Amendment No. 2 - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130929 [Collective Bargaining Agreement, Amendment No. 1 - Stationary Engineers, Local 39]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and Stationary Engineers, Local 39, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130930 [Collective Bargaining Agreement, Amendment No. 1 - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130931 [Collective Bargaining Agreement, Amendment No. 1 - Teamsters, Local 856 (Multi-Unit)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and Teamsters, Local 856 (Multi-Unit) by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130932 [Collective Bargaining Agreement, Amendment No. 2 - Teamsters, Local 856 (Multi-Unit)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and Teamsters, Local 856 (Multi-Unit) by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130933 [Collective Bargaining Agreement, Amendment No. 1 - The Transport Workers Union, AFL-CIO, Local 200]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and The Transport Workers Union, AFL-CIO, Local 200, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130934 [Collective Bargaining Agreement, Amendment No. 2 - The Transport Workers Union, AFL-CIO, Local 200]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and The Transport Workers Union, AFL-CIO, Local 200, by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130935 [Collective Bargaining Agreement, Amendment No. 1 - Union of American Physicians and Dentists (Unit 17)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 17) by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130936 [Collective Bargaining Agreement, Amendment No. 1 - Union of American Physicians and Dentists (Unit 18)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 18) by implementing specified terms and conditions of employment for FY2013-2014.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Land Use and Economic Development Committee

130372 [Planning Code, Zoning Map - Third Street Formula Retail Restricted Use District]

Sponsor: Cohen

Ordinance amending the Planning Code to create the Third Street Formula Retail Restricted Use District; amending Zoning Map Sheet SU10, for property located on Third Street between Williams Avenue and Paul Street; and making findings, including environmental findings pursuant to the California Environmental Quality Act, findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Neighborhood Services and Safety Committee

130585 [Police Code - Large Capacity Magazines; Sales of Firearms and Ammunition; Reporting Lost or Stolen Firearms; Shooting Ranges]

Sponsors: Cohen; Chiu, Campos, Yee, Mar and Breed

Ordinance amending the Police Code to ban the possession of large capacity magazines for firearm ammunition; require that dealers advise persons purchasing a firearm of local firearms laws; establish a rebuttable presumption that the owner who has not reported the theft or loss of a firearm as required by law remains in possession of the firearm; modify certain requirements for ammunition sales; and prohibit the operator of a shooting range from allowing minors to enter the premises.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Rules Committee

130584 [Administrative Code - California Benefit Corporation Discount Program - Contract Monitoring Division]

Sponsor: Chiu

Ordinance amending the Administrative Code by transferring the implementation of the California Benefit Corporation Discount Program from the Human Rights Commission to the Contract Monitoring Division of the City Administrator.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130882 [Park Code - Harding Park Golf Course Temporary Reduced Greens Fees]

Ordinance amending the Park Code to set temporary reduced greens fees for the Harding Park Golf Course from December 2, 2013, through no later than May 31, 2014, to accommodate the renovation of the greens; and making environmental findings. (Recreation and Park Department) (Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130778 [Lease Amendment - Multiple Companies - Rental Car Center Operations Lease Agreements]

Resolution approving Amendment No. 2 of the Rental Car Center Operations Lease Agreements with The Hertz Corporation, Avis Budget Car Rental, LLC, EAN-Northern California, LLC, DTG Operations, Inc., and Fox Rent A Car, Inc. for the period of January 1, 2014, through December 31, 2018. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130800 [Lease - Airport Concession Domestic Food and Beverage - Burger King Corporation/Gate 74, Inc. - $400,320]

Resolution approving Amendment No.1 to the Domestic Terminal Food and Beverage Lease No. 03-0189 between Burger King Corporation, and the City and County of San Francisco, acting by and through its Airport Commission, for a term of ten years with a minimum guarantee of approximately $400,320 to commence following Board approval, and the assignment of Lease No. 03-0189 from Burger King Corporation to Gate 74, Inc. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130939 [Accept and Expend Grant - State Vocational Rehabilitation Services Program - $271,200]

Sponsor: Mayor

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $271,200 from the California Department of Rehabilitation to participate in a program entitled State Vocational Rehabilitation Services Program for the period of July 1, 2013, through June 30, 2016, and waiving indirect costs.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130977 [Contract - New Flyer of America, Inc. - Purchase of Low Floor Diesel-Hybrid Buses - Not to Exceed $38,348,847]

Sponsors: Wiener; Mar and Breed

Resolution approving a contract with New Flyer of America, Inc., for the purchase of 50 40-foot low floor diesel-hybrid buses, related tools, training, and spare parts, through the Cooperative Purchasing Venture established by the State of Minnesota's Materials Management Division, in an amount not to exceed $38,348,847 and for a term not to exceed six years to commence following Board approval.

Supervisor Breed requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

130673 [Naming a Portion of the Carolina Street Stairway as Jack Balestreri Way - Carolina and 20th Streets]

Sponsor: Cohen

Ordinance establishing the name for a portion of the Carolina Street stairway, at Carolina and 20th Streets, that connects the Carolina Street cul-de-sac, as "Jack Balestreri Way;" commemorating this location under Public Works Code, Sections 789, et seq., the Commemorative Street Plaque Ordinance, in honor of Mr. Balestreri; accepting a plaque in honor of Jack Balestreri as a gift to the City and County of San Francisco; waiving fees for the street naming process and plaque installation; and directing official acts in furtherance of this Ordinance.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130836 [Building Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Building Code in its entirety and enacting a 2013 Building Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130837 [Building Code - Residential Building Requirements]

Ordinance incorporating the provisions of the 2013 California Residential Code into various chapters of the Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the Building Code; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130838 [Electrical Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Electrical Code in its entirety and enacting a 2013 Electrical Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130839 [Mechanical Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Mechanical Code in its entirety and enacting a 2013 Mechanical Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130840 [Plumbing Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Plumbing Code in its entirety and enacting a 2013 Plumbing Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130841 [Green Building Code - Enactment of New Code]

Ordinance enacting a 2013 San Francisco Green Building Code consisting of the 2013 California Green Building Standards Code, as amended by San Francisco; adopting environmental findings and findings required by the California Health and Safety Code, California Public Resources Code, and Title 24 of the California Code of Regulations; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131002 [Opposing Golden Gate National Recreation Area's Draft Dog Walking Access Policy]

Sponsors: Wiener; Tang, Breed, Avalos, Campos and Chiu

Resolution opposing the Golden Gate National Recreation Area's (GGNRA) currently proposed preferred alternative for dog management; and urging the GGNRA to adopt a different approach.

Supervisors Campos and Chiu requested to be added as co-sponsors.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Referred Without Recommendation from the Land Use and Economic Development Committee

130766 [Park Code - Hours of Operation for City Parks]

Sponsors: Wiener; Farrell

Ordinance amending the Park Code to establish hours of operation for City parks from 5:00 a.m. to midnight, with certain exceptions; and making environmental findings.
(Supervisor Kim dissented in Committee)

Supervisor Wiener, seconded by Supervisor Cohen, moved that this Ordinance be CONTINUED ON FIRST READING to November 5, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Neighborhood Services and Safety Committee

130814 [Public Works Code - Control of Construction Site Runoff]

Ordinance amending the Public Works Code to protect water quality by controlling the discharge of sediment or other construction pollutants from construction sites and preventing erosion and sedimentation due to construction activities; and making environmental findings. (Public Utilities Commission)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Yee, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Colleen Small, aka Queen Cougar, in recognition of her accomplishments and continued community support upon the 20th anniversary of her being named Ms. San Francisco Leather.

RESTAURANT APPRECIATION MONTH
Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Restaurant Appreciation Month, their accomplishments, and their continued community support as referenced below:

Supervisor Yee recognized Orexi; and
Supervisor Wiener recognized Anchor Oyster Bar; and
Supervisor Tang recognized Tazaki Sushi; and
Supervisor Mar recognized Cassava Bakery and Café; and
Supervisor Kim recognized Una Pizza Napoletano; and
Supervisor Farrell recognized Sociale; and
Supervisor Cohen recognized All Good Pizza; and
Supervisor Chiu recognized Center for Urban Education about Sustainable Agriculture; and
Supervisor Campos recognized Emmys Spaghetti Shack; and
Supervisor Breed recognized The Ice Cream Bar; and
Supervisor Avalos recognized Kuta Bistro.

SPECIAL ORDER 3:00 P.M.

130850 [Public Hearing - Appeal of Application of Condominium Conversion Fee - 489 Sanchez Street]

Hearing of persons interested in or objecting to the application of the condominium conversion fee per Subdivision Code, Section 1396.4(j), for property located at 489 Sanchez Street, Assessor's Block No. 3580, Lot No. 026. (District 8) (Appellant: Cristina Carrasquillo) (Filed September 5, 2013).

The President inquired as to whether any member of the public wished to address the Board. Jon Givner, Deputy City Attorney, and John Malamut, Deputy City Attorney, provided an overview of the appeal process and responded to questions raised throughout the discussion. Cristina Carrasquillo (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal and waive the application fee. Ray Hartz; Josu Garmendia; Tom Gilberty; Edmund Juicye; Walter Paulson; Leah; Brian Bassinger; spoke in support of the appeal and waiver of the application fee. Olson Lee, Director, Mayor's Office of Housing and Community Development, Bruce Storrs, City and County Surveyor, and Gigi Whitley (Mayor's Office of Housing and Community Development) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. There were no speakers in support of the fee and in opposition to the appeal. Cristina Carrasquillo (Appellant) provided a rebuttal and further requested the Board to approve the appeal and waive the application fee. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

130851 [Approving Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 489 Sanchez Street]

Motion approving a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4, for 489 Sanchez Street. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Motion be APPROVED to waive the application fee. The motion FAILED by the following vote:
Ayes: 2 - Farrell, Wiener
Noes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee

Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee
Noes: 2 - Farrell, Wiener

130852 [Denying Appeal for Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 489 Sanchez Street]

Motion denying the appeal seeking a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4, for 489 Sanchez Street. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion FAILED by the following vote:
Ayes: 2 - Farrell, Wiener
Noes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee

Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Motion No. M13-137

Supervisor Kim, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee
Noes: 2 - Farrell, Wiener

130853 [Preparation of Findings Related to the Appeal for Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 489 Sanchez Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to approve a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4, for 489 Sanchez Street. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Farrell, moved that this Motion be APPROVED. The motion FAILED by the following vote:
Ayes: 2 - Farrell, Wiener
Noes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee

Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee
Noes: 2 - Farrell, Wiener

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the open government and SF Public Library.
Ray Hartz; expressed concerns relating to open government and SF Public Library. (See additional information submitted on Page 18.)
Peter Warfield; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed concerns relating to prostate cancer and dust abatement.
Female Speaker; expressed various concerns relating to homeless and the Constitution.
Douglas Yep; expressed various concerns.
John DiDonna; shared in poem certain concerns with the Board.
Tom Gilberty; expressed various concerns relating to oil refineries.
Anne Carvio; expressed concerns relating to development impacts and whistleblower programs.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

131039 [Filipino American History Month - October 2013]

Sponsors: Chiu; Kim, Campos, Cohen and Mar

Resolution proclaiming October 2013 as Filipino American History Month in the City and County of San Francisco.

Supervisors Campos, Kim, Cohen, and Mar requested to be added as co-sponsors.

ADOPTED

131040 [Lou Marcelli Day - October 27, 2013]

Sponsor: Chiu

Resolution declaring October 27, 2013, as Lou Marcelli Day in the City and County of San Francisco.

ADOPTED

131041 [Approval of a 60 Day Extension for Planning Commission Review of Planning Code - Expanding Formula Retail Controls (File No. 130788)]

Sponsor: Mar

Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130788) amending the Planning Code to expand the definition of formula retail to include businesses that have eleven or more outlets worldwide, and to include businesses 50% or more owned by formula retail businesses; to expand the applicability of formula retail controls to other types of retail uses; to expand the notification procedures for formula retail applications; to require an economic impact report as part of the formula retail conditional use application; and making environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

There were no items.

PROPOSED RESOLUTIONS

131021 [County Refugee Services Annual Plan - Federal FY2012-2013]

Resolution approving the City and County of San Francisco's Refugee Services Annual Plan for Federal FY2012-2013. (Human Services Agency)

10/15/13; RECEIVED FROM DEPARTMENT.

10/29/13; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

131022 [Contract Modification - Guardsmark, LLC - Security Services - $21,226,260]

Resolution approving the contract modification between the City and County of San Francisco and Guardsmark LLC, to provide security services for the Human Services Agency, to extend the term by one month, for a revised period of December 1, 2008, through December 31, 2013, in the modified amount of $21,226,260.

10/15/13; RECEIVED FROM DEPARTMENT.

10/29/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:14 p.m.

ADDENDUM

The following information is provided by speaker(s), pursuant to Administrative Code, Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Ray Hartz submitted the following additional information during Public Comment as follows: I'm here to talk about the letter is on the screen. After City Librarian Luis Herrera was found to have violated the law numerous times in filing false form 700s, the Library Commission wanted to help. So what they decided to do was hold a series of discussions outside the site of the public! These communications were sufficient to formulate, revise, and finalize a statement which they then approved for release. This was all done illegally! They next directed a City employee to release the letter on official stationary to the SF Bay Guardian and, by extension, to the public. I will discuss specifics about this letter at future appearances before the BOS. Today I just like to ask this: did Mr. Herrera learn to act illegally from the Library Commission or vice versa? Personally, I think they been colluding so long to evade the law it's simply second nature!

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

Tuesday, November 5, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:30 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

GOVERNMENT
DOCUMENTS DEPT

NOV - 8 2013

SAN FRANCISCO
PUBLIC LIBRARY

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:11 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of October 1, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

130822 [Administrative Code - Mayor's Fund for the Homeless]

Sponsors: Mayor; Farrell, Kim and Campos

Ordinance amending the Administrative Code to transfer administration of the Mayor's Fund for the Homeless from the Director of the Human Services Agency to the Director of the Mayor's Office of Housing Opportunities, Partnerships and Engagement (HOPE).

FINALLY PASSED

130882 [Park Code - Harding Park Golf Course Temporary Reduced Greens Fees]

Ordinance amending the Park Code to set temporary reduced greens fees for the Harding Park Golf Course from December 2, 2013, through no later than May 31, 2014, to accommodate the renovation of the greens; and making environmental findings. (Recreation and Park Department) (Fiscal Impact)

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

130673 [Naming a Portion of the Carolina Street Stairway as Jack Balestreri Way - Carolina and 20th Streets]

Sponsor: Cohen

Ordinance establishing the name for a portion of the Carolina Street stairway, at Carolina and 20th Streets, that connects the Carolina Street cul-de-sac, as "Jack Balestreri Way;" commemorating this location under Public Works Code, Sections 789, et seq., the Commemorative Street Plaque Ordinance, in honor of Mr. Balestreri; accepting a plaque in honor of Jack Balestreri as a gift to the City and County of San Francisco; waiving fees for the street naming process and plaque installation; and directing official acts in furtherance of this Ordinance.

FINALLY PASSED

130836 [Building Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Building Code in its entirety and enacting a 2013 Building Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

FINALLY PASSED

130837 [Building Code - Residential Building Requirements]

Ordinance incorporating the provisions of the 2013 California Residential Code into various chapters of the Building Code with local amendments, and adding Chapter 36 to serve as a directory of where such provisions may be found in the Building Code; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

FINALLY PASSED

130838 [Electrical Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Electrical Code in its entirety and enacting a 2013 Electrical Code consisting of the new model code, as amended by the State of California and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

FINALLY PASSED

130839 [Mechanical Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Mechanical Code in its entirety and enacting a 2013 Mechanical Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

FINALLY PASSED

130840 [Plumbing Code - Repeal of Existing 2010 Code and Enactment of 2013 Edition]

Ordinance repealing the 2010 Plumbing Code in its entirety and enacting a 2013 Plumbing Code consisting of the new model code, as amended by the State of California, and as further amended by San Francisco; adopting environmental findings and findings of local conditions under the California Health and Safety Code; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

FINALLY PASSED

130841 [Green Building Code - Enactment of New Code]

Ordinance enacting a 2013 San Francisco Green Building Code consisting of the 2013 California Green Building Standards Code, as amended by San Francisco; adopting environmental findings and findings required by the California Health and Safety Code, California Public Resources Code, and Title 24 of the California Code of Regulations; providing for an operative date of January 1, 2014; and directing the Clerk of the Board to forward the legislation to the State Building Standards Commission, as required by State law. (Building Inspection Commission)

FINALLY PASSED

130961 [Acquisition of Discharge Easements - California Water Service Company - Bay Division Pipeline Nos. 3 and 4 Crossovers Project in San Mateo County - $3,640]

Resolution approving and authorizing the acquisition of two Discharge Easements from the California Water Service Company, a California Corporation, for $3,640 to be used by the City and County of San Francisco (City) for discharge of pipeline water and groundwater, as needed for the installation, construction, modification, removal, inspection, maintenance, repair, and replacement of the water system infrastructure in the City's right of way, including without limitation, periodic scheduled maintenance, emergency repairs, and the construction of the project known as the Bay Division Pipeline Nos. 3 and 4 Crossovers Project No. CUW38001; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

ADOPTED

Recommendation of the Neighborhood Services and Safety Committee

130814 [Public Works Code - Control of Construction Site Runoff]

Ordinance amending the Public Works Code to protect water quality by controlling the discharge of sediment or other construction pollutants from construction sites and preventing erosion and sedimentation due to construction activities; and making environmental findings. (Public Utilities Commission)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

130940 [Contract Agreement - IPS Group, Inc. - Award of Single-Space Parking Meter Procurement and Support Services - Not to Exceed $54,000,000]

Sponsor: Avalos

Resolution authorizing the Municipal Transportation Agency to enter into an agreement with IPS Group, Inc., for the procurement of single-space parking meters and support services, for an amount not to exceed $54,000,000 and for a term of five years, to commence following Board approval, with the option to extend the contract for up to two additional years.
(Fiscal Impact)
(Supervisor Farrell dissented in Committee.)

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to November 26, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Referred Without Recommendation from the Land Use and Economic Development Committee

130766 [Park Code - Hours of Operation for City Parks]

Sponsors: Wiener; Farrell

Ordinance amending the Park Code to establish hours of operation for City parks from 5:00 a.m. to midnight, with certain exceptions; and making environmental findings.
(Supervisor Kim dissented in Committee)

Supervisor Yee, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Cohen requested to be added as a co-sponsor.

Privilege of the floor was granted to Phil Ginsberg, Director, Recreation and Park Department, who responded to questions raised throughout the discussion.

Supervisor Avalos, seconded by Supervisor Wiener, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Privilege of the floor was granted to Greg Suhr, Chief of Police, who responded to questions raised throughout the discussion.

Supervisor Kim, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Privilege of the floor was granted to Phil Ginsberg, Director, Recreation and Park Department, and Greg Suhr, Chief of Police, who responded to questions raised throughout the discussion.

Supervisor Kim, seconded by Supervisor Yee, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 6 - Chiu, Cohen, Farrell, Tang, Wiener, Yee
Noes: 5 - Avalos, Breed, Campos, Kim, Mar

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130799 [Administrative Code - Airport Capital Improvement Promotion and Event Fund]
Ordinance amending the Administrative Code, Section 10.100-18, to establish a special fund to receive donations and authorize expenditures for the purpose of holding events to promote the opening of major capital improvement projects at the San Francisco International Airport; and deleting obsolete provisions. (Airport Commission)
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Yee was noted absent at 6:45 p.m. and noted present 6:50 p.m.

130937 [Administrative Code - Film Production Daily Use Fees; Film Rebate Program]

Sponsors: Farrell; Campos

Ordinance amending the Administrative Code to reduce the daily use fee for film productions with budgets less than $100,000 from $100 per day to $50 per day; expand the definition of film productions and low-budget film productions eligible for the Film Rebate Program to include episodes of a web series; and extend the Film Rebate Program expiration date from June 30, 2014, to June 30, 2015, and correspondingly increase the current funding cap from $2,000,000 to $3,000,000 subject to annual appropriation; and making environmental findings.
(Fiscal Impact)

Supervisor Campos requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 1 - Yee

130960 [Support Goals for Federal Funding - Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Programs - FY2014-2015]

Sponsor: Chiu

Resolution supporting the FY2014-2015 Community Development Block Grant, Emergency Solutions Grant, and Housing Opportunities for Persons with AIDS Consolidated Plan Goals.
(Mayor's Office of Housing)

Supervisor Chiu requested to be added as sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131034 [Forgivable Loan Agreement - California Department of Housing and Community Development - 2115 Jennings Street - $978,000]

Sponsor: Mayor

Resolution authorizing the Human Services Agency to enter into a $978,000 forgivable loan agreement from the California Department of Housing and Community Development to renovate the leased premises at 2115 Jennings Street for use as a 100 bed homeless shelter.

Privilege of the floor was granted to Dave Curto (Human Services Agency) who responded to questions raised throughout the discussion.

Supervisor Cohen, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to November 19, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131038 [Lease - 1995 Evans Street - $1,190,000]

Sponsor: Cohen

Resolution retroactively authorizing the lease of 1995 Evans Street from Claire A. Spencer, surviving trustee of Spencer Living Trust, for various Departments to use as a storage for the period of August 1, 2013, through December 31, 2014, for the initial base rental rate of $70,000 a month for an approximate total of $1,190,000 with one two-year option to extend the lease and option to purchase the property.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Government Audit and Oversight Committee

130400 [Health Code - Massage Practitioners]

Ordinance amending the Health Code to exempt massage practitioners who are certified by the California Massage Therapy Council (CAMTC) and massage establishments that employ only CAMTC-certified massage practitioners from requirements for obtaining a permit from the San Francisco Health Department; require massage establishments that employ only CAMTC-certified massage practitioners to pay an annual license fee; increasing the licensing fees for all establishments and practitioners; and making environmental findings. (Public Health Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130789 [Health Code - Licensing and Regulations of Massage Establishments and Practitioners]

Sponsors: Tang; Chiu, Kim and Yee

Ordinance amending the Health Code to require massage practitioners, licensed by San Francisco, to wear photo identification cards when working; deny Massage Establishment permits to applicants convicted of specified crimes; to provide an appeal process for persons denied a Massage Establishment permit; to establish health and safety requirements for all Massage Establishments; to establish penalties for violations of Article 29 governing Massage Practitioners and Massage Establishments; to require notice of violations be sent to the owner(s) of property where Massage Establishments are located; and making environmental findings.

Supervisor Tang, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Tang, seconded by Supervisor Yee, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Ordinance amending the Health Code to 1) require massage establishments to post the photo identification cards of all practitioners licensed by San Francisco working at the establishment; 2) deny Massage Establishment permits to applicants convicted of specified crimes; 3) provide an appeal process for persons denied a Massage Establishment permit; 4) establish health and safety requirements for all Massage Establishments; 5) establish penalties for violations of Article 29 governing Massage Practitioners and Massage Establishments; 6) require notice of violations be sent to the owner(s) of property where Massage Establishments are located; and making environmental findings.

Supervisor Farrell requested to be added as a co-sponsor.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130610 [Board Response - Civil Grand Jury Report - "Use of Nonprofit Community-Based Organizations: Measuring Outcomes"]

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2012-2013 Civil Grand Jury Report entitled "Use of Nonprofit Community-Based Organizations: Measuring Outcomes" and urging the Mayor to cause the implementation of accepted findings and recommendations through his department heads and through the development of the annual budget. (Government Audit and Oversight Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

130549 [Planning Code - Controller's Reports]

Sponsor: Mayor

Ordinance amending the Planning Code to modify when the Controller is required to issue various reports; and making environmental findings, and findings of consistency with the General Plan.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130084 [Planning Code, Zoning Map - Establishing the Excelsior Outer Mission Street Neighborhood Commercial District]

Sponsor: Avalos

Ordinance amending the Planning Code to establish the Excelsior Outer Mission Street Neighborhood Commercial District (NCD) along Mission Street between Alemany Boulevard and the San Francisco-San Mateo County line; repealing the Excelsior Alcohol Restricted Use District and adding controls on liquor establishments to the new NCD; amending various sections to make conforming and other technical changes; amending the Zoning Map to rezone specified properties to the new NCD; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130734 [Administrative Code - Planning Commission Review of Medical Cannabis Dispensary Location Regulations]

Sponsor: Avalos

Ordinance amending the Administrative Code, by adding Section 2A.54, to direct the Planning Commission to prepare and submit a report to the Board of Supervisors evaluating the provisions of the Planning Code related to the location of medical cannabis dispensaries.

Supervisor Campos, seconded by Supervisor Kim, moved that this Ordinance be AMENDED on Page 2, Line 11, by changing January 1, 2014, to May 1, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Cohen requested to be added as a co-sponsor.

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Kim, seconded by Supervisor Chiu, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Oz Erickson and Alastair A. Mactaggart of the Emerald Fund in recognition of their donation of public open space to the Rincon Hill neighborhood.

SPECIAL ORDER 3:00 P.M.

130896 [Public Hearing - Appeal of Final Mitigated Negative Declaration - 1050 Valencia Street]

Hearing of persons interested in or objecting to the Planning Commission's approval of a Final Mitigated Negative Declaration (Case No. 2007.1457E) adopted and issued on September 30, 2010, for the proposed demolition of an existing one-story commercial building and construction of a five-story mixed-use building within the Valencia Street NCT (Neighborhood Commercial Transit) Zoning District and a 55-X Height and Bulk District on property located at 1050 Valencia Street, Assessor's Block No. 3617, Lot No. 008. (District 8) (Appellant: Stephen M. Williams on behalf of the Liberty Hill Neighborhood Association) (Filed September 12, 2013). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Supervisor Wiener provided an overview of the project and the appeal. Stephen Williams (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Vladimir Prikupeth; Richard Grassetti; Stephanie Weisman; Charlie Varon; Audrey Dileo; Sherry Snyder; Chip Isaac; David Kleinberg; Jean Score; Annette Roman; Anastasia Glickshtern; Risa Teitelbaum; Emily Khon; Female Speaker; Alicia Gamez; Erick Arguello; Maica Folch; Mary Gallagher; Courtney Harrell; John Barbey; Leonard Fisher; Female Speaker; Cary Whiner; Josh Kornbluth; Marga Gomez; Gail Buchbinder; Fran Cavanaugh; Adrian Abott; Marilyn Pittman; Nato Green; Barbara Ruckles; Susan; Kenny Yun; Candace Roberts; Alec White; Joy Kent; Ric West; John Levin; Susan; Male Speaker; Sue Lebeck; Mike Maier; Margaret Wilson; Dale Duncan; Robert Livingston; Jenefer Bickers; Sue Englander; Rosalee Jenkins; Linda; Gail Davies; spoke in support of the appeal. Lisa Gibson, Rich Sucre, Tania Sheyner, and Sarah Jones (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Melinda Sarjapur, Andrew, Junick, and Mark Rutherford (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Tim Pullen; Nicole Schneider; Paulo; spoke in support of the project and in opposition to the appeal. Stephen Williams (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

130897 [Affirming the Approval of a Final Mitigated Negative Declaration - 1050 Valencia Street]

Motion affirming the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for a project located at 1050 Valencia Street. (Clerk of the Board)

Motion No. M13-138

Supervisor Wiener, seconded by Supervisor Breed, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 6 - Breed, Chiu, Farrell, Tang, Wiener, Yee
Noes: 5 - Avalos, Campos, Cohen, Kim, Mar

130898 [Reversing the Approval of a Final Mitigated Negative Declaration - 1050 Valencia Street]

Motion reversing the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for a project located at 1050 Valencia Street. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Breed, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Breed, Chiu, Farrell, Tang, Wiener, Yee
Noes: 5 - Avalos, Campos, Cohen, Kim, Mar

130899 [Preparation of Findings to Reverse the Approval of a Final Mitigated Negative Declaration - 1050 Valencia Street]

Motion directing the Clerk of the Board to prepare findings reversing the approval of a Final Mitigated Negative Declaration under the California Environmental Quality Act by the Planning Commission for a project located at 1050 Valencia Street. (Clerk of the Board)

Supervisor Wiener, seconded by Supervisor Breed, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Breed, Chiu, Farrell, Tang, Wiener, Yee
Noes: 5 - Avalos, Campos, Cohen, Kim, Mar

Supervisor Tang was noted absent at 7:55 p.m. for the remainder of the meeting.

Supervisor Tang Excused from Voting

Supervisor Farrell, seconded by Supervisor Breed, moved that Supervisor Tang be execused from voting for the remainder of the meeting. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Tang

SPECIAL ORDER 3:00 P.M.

131024 [Public Hearing - Conditional Use Appeal - 725 Taraval Street]

Hearing of persons interested in or objecting to the Planning Commission's approval on September 19, 2013, of a Conditional Use Authorization identified as Planning Case No. 2012.0648C, by its Motion No. 18972, pursuant to Planning Code, Sections 303(c) and 711.83, to install a wireless telecommunications services facility consisting of up to nine screened panel antennas located on the rooftop and electronic equipment in a basement room of an existing mixed-use building as part of AT&T Mobility's Wireless Telecommunications Network within a NC-2 (Neighborhood Commercial, Small Scale) Zoning District, Taraval Street Restaurant Subdistrict, and 40-X Height and Bulk District, on property located at 725 Taraval Street, Assessor's Block No. 2408, Lot No. 052. (District 7) (Appellant: Robert Carson) (Filed October 17, 2013). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Supervisor Yee provided an overview of the project and the appeal. Robert Carson (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Male Speaker; spoke in support of the appeal. AnMarie Rodgers and Omar Masry (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Mike Blake and engineer (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Jon Givner, Deputy City Attorney, responded to questions raised throughout the discussion. There were no speakers in support of the project and in opposition to the appeal. Robert Carson (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

131025 [Approving Planning Commission's Decision Related to the Conditional Use Authorization - 725 Taraval Street]

Motion approving decision of the Planning Commission by its Motion No. 18972, approving Conditional Use Authorization identified as Planning Case No. 2012.0648C on property located at 725 Taraval Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M13-139

Supervisor Yee, seconded by Supervisor Breed, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Tang

131026 [Disapproving Planning Commission's Decision Related to the Conditional Use Authorization - 725 Taraval Street]

Motion disapproving decision of the Planning Commission in Motion No. 18972 to approve Conditional Use Authorization identified as Planning Case No. 2012.0648C on property located at 725 Taraval Street. (Clerk of the Board)

Supervisor Yee, seconded by Supervisor Breed, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Tang

131027 [Preparation of Findings Related to the Conditional Use Authorization - 725 Taraval Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Authorization identified as Planning Case No. 2012.0648C on property located at 725 Taraval Street. (Clerk of the Board)

Supervisor Yee, seconded by Supervisor Breed, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Tang

COMMITTEE REPORTS

Recommendation of the Rules Committee

131042 [Park, Recreation, and Open Space Advisory Committee - Membership List]

Sponsors: Yee; Mar

Resolution approving and modifying the Recreation and Park Commission's list of recommended organizations for membership in the Park, Recreation, and Open Space Advisory Committee.

Supervisor Mar requested to be added as a co-sponsor.

Supervisor Yee, seconded by Supervisor Mar, moved that this Resolution be AMENDED, by adding 'Friends of Larsen Park, Friends of West Sunset Playground.' The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Tang

Supervisor Cohen, seconded by Supervisor Yee, moved that this Resolution be AMENDED, by adding 'Parks 94124.' The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Tang

Supervisor Kim, seconded by Supervisor Mar, moved that this Resolution be AMENDED, by adding 'Friends of Boeddeker Park, Friends of Victoria Manalo Draves Park & Gene Friend Rec Center, South Park Improvement Association, District 6 Open Space Task Force, and Yerba Buena Neighborhood Alliance.' The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Tang

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Tang

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Peter Warfield; expressed concerns relating to the SF Public Library.
Anastasia Glikshtern; spoke relating to healthy trees and National Association of Parks.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

131072 [Urging the Director of the Mayor's Office of Housing and Community Development to Convene a Nonprofit Displacement Work Group]

Sponsors: Kim; Cohen and Mar

Resolution urging the Director of the Mayor's Office of Housing and Community Development to convene a work group to develop a series of recommendations on how the City can address the issue of nonprofit displacement.

Supervisors Cohen and Mar requested to be added as co-sponsors.

ADOPTED

131073 [Supporting Increased Access to After-School Programs for all San Francisco Unified School District Students]

Sponsors: Kim; Mar, Yee, Avalos, Farrell and Cohen

Resolution supporting increased access to After-School Programs for all San Francisco Unified School District students as part of a comprehensive educational plan.

Supervisor Cohen requested to be added as a co-sponsor.

ADOPTED

131074 [Accept Gift - Santa Clara County Library - 3M Self Check Machines - $33,592]

Sponsor: Yee

Resolution retroactively authorizing the Department of Public Library to accept a gift of eight 3M Self Check Machines from the Santa Clara County Library with an estimated total value, at the time of receipt, of $33,592.

ADOPTED

131075 [Accept and Expend Gift - Patricia L. Strong Trust - $25,000]

Sponsor: Yee

Resolution retroactively authorizing the Department of Public Health, Laguna Honda Hospital, and Rehabilitation Center to accept and expend a gift of $25,000 for the Laguna Honda Palliative Care and Hospice Fund from the Patricia L. Strong Trust.

ADOPTED

131052 [Final Map 7507 - 350 Linden Street]
Motion approving Final Map 7507, a six Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 350 Linden Street being a subdivision of Assessor's Block No. 0817, Lot No. 069, and adopting findings pursuant to the General Plan and Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-140

APPROVED

131076 [Board of Supervisors Regular Meeting Schedule - 2014]
Motion establishing the 2014 Board of Supervisors Regular Meeting Schedule by canceling the Board meetings of January 21, February 18, May 27, July 1, October 14, and November 11, December 2; and by further canceling all Board and Committee meetings during the summer and winter breaks from July 30 through August 29, and December 17 through December 31. (Clerk of the Board)

Motion No. M13-141

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Excused: 1 - Tang

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

There were no items.

PROPOSED RESOLUTIONS

131054 [Airport Professional Services Agreement - Elevator Maintenance Services - Not to Exceed $11,000,000]

Resolution approving Award of Professional Services Agreement for Airport Contract No. 9312 - Elevator Maintenance Service to provide for maintenance, repair, testing, and on-call emergency services for approximately 170 elevators at San Francisco International Airport, between ThyssenKrupp Elevator Corporation and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $11,000,000 pursuant to Charter, Section 9.118(b), for the period of January 1, 2014, through December 31, 2018. (Airport Commission)

10/22/13; RECEIVED FROM DEPARTMENT.

11/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131055 [Airport Professional Services Agreement - Escalator and Electric Walk Maintenance Services - Not to Exceed $17,000,000]

Resolution approving award of Professional Services Agreement for Airport Contract No. 9313 - Escalator and Electric Walk Maintenance Service to provide for maintenance, repair, testing, and on-call emergency services for approximately 133 escalators and 43 electric walks at San Francisco International Airport, between ThyssenKrupp Elevator Corporation and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $17,000,000 pursuant to Charter, Section 9.118(b), for the period of January 1, 2014, through December 31, 2018. (Airport Commission)

10/22/13; RECEIVED FROM DEPARTMENT.

11/05/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131056 [Street Artist Spaces - Post Street at Stockton Street]

Resolution approving re-designation for six months two temporary selling spaces on Post Street, northwest corner, at Stockton Street for street artists certified by the Arts Commission. (Arts Commission)

10/22/13; RECEIVED FROM DEPARTMENT.

11/05/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

131057 [Street Artist Space - Leavenworth Street at Jefferson Street]

Resolution approving re-designation of one selling space on Leavenworth Street, west side, at Jefferson Street, for six months for street artists certified by the Arts Commission; exempting said space from the regulations of Police Code, Sections 2405(c)(6) and (11), prohibiting selling within ten feet from the outer edge of any entrance to any building and prohibiting selling within five feet of the display of any other street artist. (Arts Commission)

10/22/13; RECEIVED FROM DEPARTMENT.

11/05/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

131058 [Tax Collector Attorney - File Suit Against Responsible Relatives to Recover Value of Services Rendered at Hospital Facilities]

Resolution authorizing the Tax Collector Attorney to file suit against responsible relatives to recover value of services rendered at hospital facilities operated by the Department of Public Health. (Treasurer-Tax Collector)

10/25/13; RECEIVED FROM DEPARTMENT.

11/05/13; RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 8:47 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
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11/19/13

Tuesday, November 19, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:30 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Cohen, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of October 8, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Land Use and Economic Development Committee

130549 [Planning Code - Controller's Reports]

Sponsor: Mayor

Ordinance amending the Planning Code to modify when the Controller is required to issue various reports; and making environmental findings, and findings of consistency with the General Plan.

FINALLY PASSED

130878 [Street Encroachment - Sanjay Dani - Reed Street to Access a New Garage - 45 Priest Street]

Resolution granting revocable permission to Sanjay Dani to occupy a portion of the public right-of-way on Reed Street, an existing unaccepted public right-of-way, to extend the existing roadway by approximately 20 feet, and construct a concrete driveway ramp from the edge of an existing garage at 44 Reed Street to provide access to a proposed new garage at the Reed Street frontage of 45 Priest Street, conditioned upon the payment of an annual assessment fee; and making environmental findings, and findings of consistency with the General Plan, and the priority policies of Planning Code, Section 101.1. (Public Works Department)

ADOPTED

130084 [Planning Code, Zoning Map - Establishing the Excelsior Outer Mission Street Neighborhood Commercial District]

Sponsor: Avalos

Ordinance amending the Planning Code to establish the Excelsior Outer Mission Street Neighborhood Commercial District (NCD) along Mission Street between Alemany Boulevard and the San Francisco-San Mateo County line; repealing the Excelsior Alcohol Restricted Use District and adding controls on liquor establishments to the new NCD; amending various sections to make conforming and other technical changes; amending the Zoning Map to rezone specified properties to the new NCD; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED

Recommendations of the Rules Committee

120575 [Appointment, Commission on the Aging Advisory Council - Ken Prag]

Motion appointing Ken Prag, term ending March 31, 2014, to the Commission on the Aging and Advisory Council. (Clerk of the Board)

Motion No. M13-142

APPROVED

130948 [Appointment, Lesbian, Gay, Bisexual, and Transgender (LGBT) Seniors Task Force - G. Joyce Pierson]

Motion appointing G. Joyce Pierson, for an indefinite term, to the Lesbian, Gay, Bisexual, and Transgender (LGBT) Seniors Task Force. (Clerk of the Board)

Motion No. M13-143

APPROVED

130955 [Settlement of Administrative Enforcement Action - San Francisco Bay Regional Water Quality Control Board - $608,310]

Ordinance authorizing settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against the City and County of San Francisco for $608,310; and appropriating $608,310 for this purpose from the Public Utilities Commission Water Enterprise fund balance. (City Attorney's Office)

PASSED, ON FIRST READING

130956 [Settlement of Lawsuit - Carlos Hutcherson, et al. - $125,000]

Ordinance authorizing settlement of the lawsuit filed by Carlos Hutcherson, Tarasa Gates, and Donald Walton against the City and County of San Francisco for $125,000; the lawsuit was filed on December 21, 2012, in United States District Court, Case No. 12-cv-6481; entitled Carlos Hutcherson, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

130957 [Settlement of Administrative Enforcement Acton - San Francisco Bay Regional Water Quality Control Board - $69,000]

Resolution approving the settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against San Francisco imposing a penalty of $69,000. (City Attorney's Office)

ADOPTED

130958 [Settlement of Administrative Enforcement Action - Central Valley Regional Water Quality Control Board - $1,000,000]

Resolution approving the settlement of the unlitigated administrative enforcement action filed by the Central Valley Regional Water Quality Control Board against San Francisco imposing a penalty of $1,000,000. (Public Utilities Commission)

ADOPTED

130959 [Settlement of Claim - Adam Holm - $50,000]

Resolution approving the settlement of the unlitigated claim filed by Adam Holm against the City and County of San Francisco for $50,000; claim was filed on March 28, 2013. (City Attorney's Office)

ADOPTED

131013 [Settlement of Lawsuits - Zeno Zimmerman - $145,000]

Ordinance authorizing settlement of the lawsuits filed by Zeno Zimmerman against the City and County of San Francisco for $145,000; the lawsuits were filed on December 6, 2011, in San Francisco Superior Court, Case Nos. CGC-11-516360 and CGC-11-516361 (consolidated); entitled Zeno Zimmerman v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

131014 [Settlement of Lawsuit - Calkin, et al. - $862,500]

Ordinance authorizing partial settlement of the lawsuit filed by Donald Calkin, Gordon Clark, Silvia David, Sally Foster, John Higgins, Janet Lacampagne, Kenneth Sanchez, Colleen Sullivan, and Lee Sullivan against the City and County of San Francisco for $862,500; the lawsuit was filed on May 18, 2012, in United States District Court, Northern District of California, Case No. C12-02584 JCS; entitled Donald Calkin, Gordon Clark, Silvia David, Sally Foster, John Higgins, Janet Lacampagne, Kenneth Sanchez, Colleen Sullivan, and Lee Sullivan v. City and County of San Francisco. (City Attorney's Office)

PASSED, ON FIRST READING

131033 [California Code of Civil Procedure, Section 998 - Offer to Compromise to Defendants - Anshen and Allen, Architects Inc.]

Sponsor: Yee

Ordinance authorizing the City Attorney to make a California Code of Civil Procedure, Section 998, Offer to Compromise to Defendants to the City in the lawsuit entitled City and County of San Francisco v. Anshen and Allen, Architects, Inc., et al., Alameda County Superior Court Case No. RG13679711.

PASSED, ON FIRST READING

131030 [Appointments, Airport Facilities Naming Advisory Committee - Jon Ballesteros and Maggie Weiland]

Motion appointing Jon Ballesteros and Maggie Weiland, for indefinite terms, to the Airport Facilities Naming Advisory Committee. (Clerk of the Board)

Motion No. M13-144

APPROVED

131047 [Appointments, Assessment Appeals Board No. 1 - Jeffrey Morris and Eugene Valla]

Motion appointing Jeffrey Morris and Eugene Valla, terms ending September 5, 2016, to the Assessment Appeals Board No. 1. (Clerk of the Board)

Motion No. M13-145

APPROVED

131048 [Appointments, Assessment Appeals Board No. 2 - John Lee, Mervin Conlan, and Alfredo Perez]

Motion appointing John Lee, Mervin Conlan, and Alfredo Perez, terms ending September 5, 2016, to the Assessment Appeals Board No. 2. (Clerk of the Board)

Motion No. M13-146

APPROVED

131049 [Appointments, Assessment Appeals Board No. 3 - Yosef Tahbazof, Kristine Nelson, Shawn Ridgell, and Angela Cheung,]

Motion appointing Yosef Tahbazof, term ending September 1, 2014, Kristine Nelson, term ending September 7, 2015, Shawn Ridgell and Angela Cheung, terms ending September 5, 2016, to the Assessment Appeals Board No. 3. (Clerk of the Board)

Motion No. M13-147

APPROVED

Recommendation of the Government Audit and Oversight Committee

130400 [Health Code - Massage Practitioners]

Ordinance amending the Health Code to exempt massage practitioners who are certified by the California Massage Therapy Council (CAMTC) and massage establishments that employ only CAMTC-certified massage practitioners from requirements for obtaining a permit from the San Francisco Health Department; require massage establishments that employ only CAMTC-certified massage practitioners to pay an annual license fee; increasing the licensing fees for all establishments and practitioners; and making environmental findings. (Public Health Department)

FINALLY PASSED

Recommendation of the Budget and Finance Committee

130799 [Administrative Code - Airport Capital Improvement Promotion and Event Fund]

Ordinance amending the Administrative Code, Section 10.100-18, to establish a special fund to receive donations and authorize expenditures for the purpose of holding events to promote the opening of major capital improvement projects at the San Francisco International Airport; and deleting obsolete provisions. (Airport Commission)
(Fiscal Impact)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Referred Without Recommendation from the Land Use and Economic Development Committee

130766 [Park Code - Hours of Operation for City Parks]

Sponsors: Wiener; Farrell and Cohen

Ordinance amending the Park Code to establish hours of operation for City parks from 5:00 a.m. to midnight, with certain exceptions; and making environmental findings.

Privilege of the floor was granted to Sarah Ballard (Recreation and Park Department), who responded to questions raised throughout the discussion.

FINALLY PASSED by the following vote:

Ayes: 6 - Chiu, Cohen, Farrell, Tang, Wiener, Yee
Noes: 5 - Avalos, Breed, Campos, Kim, Mar

Recommendation of the Land Use and Economic Development Committee

130734 [Administrative Code - Planning Commission Review of Medical Cannabis Dispensary Location Regulations]

Sponsors: Avalos; Cohen

Ordinance amending the Administrative Code, by adding Section 2A.54, to direct the Planning Commission to prepare and submit a report to the Board of Supervisors evaluating the provisions of the Planning Code related to the location of medical cannabis dispensaries.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Government Audit and Oversight Committee

130789 [Health Code - Licensing and Regulations of Massage Establishments and Practitioners]

Sponsors: Tang; Chiu, Kim, Yee and Farrell

Ordinance amending the Health Code to require massage establishments to post the photo identification cards of all practitioners licensed by San Francisco working at the establishment; deny Massage Establishment permits to applicants convicted of specified crimes; provide an appeal process for persons denied a Massage Establishment permit; establish health and safety requirements for all Massage Establishments; establish penalties for violations of Article 29 governing Massage Practitioners and Massage Establishments; require notice of violations be sent to the owner(s) of property where Massage Establishments are located; and making environmental findings.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Budget and Finance Committee

130937 [Administrative Code - Film Production Daily Use Fees; Film Rebate Program]

Sponsors: Farrell; Campos and Chiu

Ordinance amending the Administrative Code to reduce the daily use fee for film productions with budgets less than $100,000 from $100 per day to $50 per day; expand the definition of film productions and low-budget film productions eligible for the Film Rebate Program to include episodes of a web series; and extend the Film Rebate Program expiration date from June 30, 2014, to June 30, 2015, and correspondingly increase the current funding cap from $2,000,000 to $3,000,000 subject to annual appropriation; and making environmental findings.
(Fiscal Impact)

Supervisor Chiu requested to be added as a co-sponsor.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131034 [Forgivable Loan Agreement - California Department of Housing and Community Development - 2115 Jennings Street - $978,000]

Sponsor: Mayor

Resolution authorizing the Human Services Agency to enter into a $978,000 forgivable loan agreement from the California Department of Housing and Community Development to renovate the leased premises at 2115 Jennings Street for use as a 100 bed homeless shelter.

Privilege of the floor was granted to Jason Elliott (Mayor's Office), Trent Rhorer, Executive Director (Human Services Agency), and Jon Givner (City Attorney's Office), who responded to questions raised throughout the discussion.

Supervisor Cohen, seconded by Supervisor Breed, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, and Supervisor Kim requested the amendments be taken through seriatim consideration pursuant to Rule 5.32 of the Rules of Order of the Board of Supervisors.

AMENDED on Page 2, Lines 5-7, by adding 'WHEREAS, The Board of Supervisors recognizes that 2115 Jennings Street is not currently zoned to permit a homeless shelter and will need to approve a rezoning of the property prior to the proposed shelter being constructed; and'. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 1 - Cohen

Supervisor Cohen, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

AMENDED on Page 1, Lines 5-7, by adding 'WHEREAS, The Board of Supervisors recognizes that 2115 Jennings Street is not currently zoned to permit a homeless shelter and will need to approve a rezoning of the property prior to the proposed shelter being constructed; and', by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

AMENDED on Page 2 Lines 8-12, by adding 'WHEREAS, The Board of Supervisors recognizes that 2115 Jennings Street is within one half mile of a public park and pool where children congregate and requests that the Adult Probation Department enforce the State law and regulations that would prohibit registered sex offenders from residing at the shelter. Nothing in this clause imposes any additional obligations on the Human Services Agency; now, therefore, be it', by the following vote:

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Mar, Tang, Wiener
Noes: 4 - Avalos, Campos, Kim, Yee

AMENDED on Page 2, Lines 15-23, by adding FURTHER RESOLVED, That the Board of Supervisors urges the Human Services Agency to establish a community advisory committee to provide feedback and guidance on the operation of the shelter; and, be it FURTHER RESOLVED, That the Board of Supervisors urges the Human Services Agency to evaluate strategies for providing security services and other public safety improvements at the shelter site; and, be it FURTHER RESOLVED, That if the facility ultimately is built, the Human Services Agency will provide the Board of Supervisors with an update on the operations of the shelter within one year of the shelter opening; and, be it', by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Farrell, Kim, Mar, Wiener, Yee
Noes: 2 - Cohen, Tang

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130629 [Supporting the Health Service System to Establish Full Quality and Cost Transparency in the Public Interest]

Sponsors: Farrell; Chiu, Campos, Mar and Tang

Resolution supporting the Health Service System for participating in the establishment of multi-payer databases that can be used to evaluate and improve the quality and cost of care and resolving to pass legislation to establish full quality and cost transparency in the public interest.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130797 [Contract Amendment - Dominion Voting Systems, Inc. - Not to Exceed $19,690,933.25]

Ordinance authorizing the Department of Elections to enter into the third amendment of an agreement with Dominion Voting Systems, Inc., to commence following Board approval, to extend the term of the agreement through December 10, 2016, increasing the total not-to-exceed amount of the agreement by $3,645,900 from $16,045,033.25 to $19,690,933.25. (Elections Department) (Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130860 [Appropriation - Parking Garage Revenue and Expenditure - $13,786,681 - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating $13,786,681 of parking garage revenue and expenditures to the Municipal Transportation Agency consisting of $8,513,825 for the 5th and Mission Parking Garage and $5,272,856 for the Ellis-O'Farrell Parking Garage in order to support the Department's projected revenue and expenditure increases.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130962 [Contract Modification - S & S Trucking Corporation - Estimated Cumulative Value of $13,500,000]

Resolution extending an agreement between the City and County of San Francisco and S & S Trucking Corporation from December 20, 2013, through December 19, 2015, and increasing the estimated cumulative contract amount from $9,000,000 to $13,500,000 for hauling biosolids (sludge) and grit, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131031 [Business and Tax Regulations Code - Business Tax Installment Payments; Combined Reporting; Special Assessments]

Sponsor: Chiu

Ordinance amending the Business and Tax Regulations Code to provide additional penalty relief for payroll expense tax and gross receipts tax payments; to require combined reporting of the payroll expense tax by related taxpayers; and to clarify that fees and special assessments are administered according to the common administrative provisions applicable to other business taxes.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131035 [Real Property Purchase and Sale Agreement - 201-229 Eddy Street - $4,200,000]

Sponsors: Avalos; Kim and Campos

Resolution authorizing the execution and performance of an Agreement of Purchase and Sale for Real Estate between the City and County of San Francisco and Tenderloin Neighborhood Development Corporation, a California nonprofit public benefit corporation, for the purchase of real property located at 201-229 Eddy Street, San Francisco, in the amount of $4,200,000 for the rehabilitation of 105 units of affordable housing for low and very low income persons; authorizing the execution and performance of a Ground Lease between the City and County of San Francisco and Franciscan Towers Associates L.P., a California limited partnership, for a term of 75 years, to commence following Board approval, at an annual rate of $420,000; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the City's General Plan, and eight priority policies of City Planning Code, Section 101.1.
(Fiscal Impact)

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131037 [Multifamily Housing Revenue Note - Tenderloin Family Housing - 201 Turk Street - Not to Exceed $22,000,000]

Sponsors: Chiu; Kim and Campos

Resolution authorizing the execution, sale, and delivery of a multifamily housing revenue note in an aggregate principal amount not to exceed $22,000,000 for the purpose of providing financing for the acquisition and rehabilitation of a 175-unit affordable multifamily residential rental housing project known as Tenderloin Family Housing; approving the form of and authorizing the execution of a funding loan agreement and a borrower loan agreement; providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes and additions to the documents; granting general authority to City officials to take actions necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the note and the Project (as defined herein).

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130801 [Contract Amendment - Global Tel*Link - Inmate Telephone Services - $3,000,000]

Resolution retroactively authorizing the Sheriff's Department to amend the existing contract with Global*TelLink for inmate telephone services from June 1, 2010, to May 31, 2013, to June 1, 2010, to May 31, 2014, with an additional one-year option to extend the term remaining, which will result in an anticipated commission to the Inmate Welfare Fund of more than $3,000,000 over the four-year contract term. (Sheriff)

Privilege of the floor was granted to Harvey Rose (Budget and Legislative Analyst), and Ben Rosenfield (City Controller), who responded to questions raised throughout the discussion.

Supervisor Kim, seconded by Supervisor Avalos, moved that this Resolution be CONTINUED to December 10, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131036 [Real Property Lease Renewal - AIM TWO - 755 and 759 South Van Ness Avenue - $2,130,628]

Sponsor: Campos

Resolution authorizing the lease renewal of approximately 13,545 square feet of space at 755 and 759 South Van Ness Ave., San Francisco, with AIM TWO, as Landlord, for use by the Department of Public Health at the monthly cost of $38,738.70 for an initial term of four years and seven months for an approximate total of $2,130,628 to commence following Board approval, including an additional 3,675 square feet parking area at no further cost.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131070 [Accept and Expend Grant - Hepatitis B Early Identification and Linkage to Care for Foreign-Born Persons with Hepatitis B - $300,000]

Sponsors: Wiener; Mar, Chiu, Cohen and Campos

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $300,000 from Centers for Disease Control and Prevention to participate in a program entitled Hepatitis B Early Identification and Linkage to Care for Foreign-Born Persons with Hepatitis B in San Francisco for the period of September 30, 2013, through September 29, 2014.

Supervisors Chiu, Cohen, and Campos requested to be added as co-sponsors.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131071 [Accept and Expend Grant - Library Programs - Friends of Public Library - Up to $720,000 - FY2013-2014]

Sponsor: Yee

Resolution retroactively authorizing the Department of Public Library to accept and expend a grant in the amount of up to $720,000 of in-kind gifts, services, and cash monies from the Friends of Public Library for direct support for a variety of public programs and services for the period of July 1, 2013, through June 30, 2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Neighborhood Services and Safety Committee

130849 [Liquor License - 550 Montgomery Street]

Resolution determining that the issuance of a Type-21 off-sale general license to Daniel Kramer for On the Fly, Inc., dba Wingtip, located at 550 Montgomery Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

131017 [Approving Reappointment, Entertainment Commission - Al Perez]

Motion approving the Mayor's nomination for reappointment of Al Perez, term ending July 1, 2017, to the Entertainment Commission. (Clerk of the Board)
(Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved. Transmittal date - 9/24/13.)

APPROVED by the following vote:
Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Farrell, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:
Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Motion No. M13-148

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Mar Excused from Voting

Supervisor Farrell, seconded by Supervisor Campos, moved that Supervisor Mar be excused from voting on File No. 131019. The motion carried by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Excused: 1 - Mar

131019 [Reappointment, California State Association of Counties - Supervisor Eric Mar]

Motion reappointing Supervisor Eric Mar, term ending November 28, 2014, to the California State Association of Counties Board of Directors. (Clerk of the Board)

Motion No. M13-149

APPROVED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Excused: 1 - Mar

131051 [Confirming Appointment, City Hall Preservation Advisory Commission - Patrick Carney]

Motion confirming the Mayor's appointment of Patrick Carney, term ending January 13, 2016, to the City Hall Preservation Advisory Commission. (Mayor)

Motion No. M13-150

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Wiener, seconded by Supervisor Yee, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Wiener introduced, welcomed, and presented a Certificate of Honor to Buck Delventhal of the Office of the City Attorney in recognition of his receipt of two prestigious awards honoring his contributions in the field of municipal law and his service and leadership with the City and County of San Francisco. Dennis Herrera, City Attorney, shared in the recognition of Mr. Delventhal.

Supervisor Yee introduced, welcomed, and presented a Certificate of Honor to Wu Yee Children's Services in recognition for 35 years of quality childcare services provided to families citywide and the opening of their first center in the Bayview District.

Supervisor Mar introduced, welcomed, and presented Certificates of Honor to Kenneth Hill, Jazz Vassar, and Antonia Williams of the Food Guardian Angels in recognition of their accomplishments and continued community support regarding healthy food initiatives.

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to the Association for Justice and Reconciliation in recognition of their accomplishments and continued community support.

SPECIAL ORDER 3:00 P.M.

130950 [Public Hearing - Appeal of Application of Condominium Conversion Fee - 273A-29th Street]

Hearing of persons interested in or objecting to the application of the condominium conversion fee per Subdivision Code, Section 1396.4(j), for property located at 273A-29th Street, Assessor's Block No. 6633, Lot No. 025. (District 8) (Appellants: Jasmine Oberste and Anne Michele Smart) (Filed September 26, 2013). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Bruce Storrs (Department of Public Works), John Malamut (City Attorney's Office), and Jon Givner (City Attorney's Office) responded to questions raised throughout the discussion. Jasmine Oberste (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal and waive the application fee. Male Speaker and Douglas Yep; spoke in support of the appeal and waiver of the application fee. Gigi Whitley (Mayor's Office of Housing and Community Development) provided an overview of the decision of the Mayor's Office of Housing and Community Development and responded to questions raised throughout the discussion. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

130951 [Denying Appeal for Waiver, Adjustment or Reduction of Condominium Conversion Fee - 273A-29th Street]

Motion denying the appeal seeking a waiver, adjustment or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 273A-29th Street. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to a Special Order at 3:00 p.m. on November 26, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130952 [Approving Waiver, Adjustment or Reduction of Condominium Conversion Fee - 273A-29th Street]

Motion approving a waiver, adjustment or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 273A-29th Street. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to a Special Order at 3:00 p.m. on November 26, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130953 [Preparation of Findings Related to the Appeal for Waiver, Adjustment or Reduction of Condominium Conversion Fee - 273A-29th Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to approve a waiver, adjustment or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 273A-29th Street. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Avalos, moved that this Motion be CONTINUED to a Special Order at 3:00 p.m. on November 26, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Peter Warfield; expressed concerns relating to the SF Public Library.
John Bowman; expressed concerns regarding postal services.
Male Speaker; expressed concerns regarding artificial turf.
Tim Colen; expressed concerns regarding housing stock.
Male Speaker; expressed concerns regarding the Central Subway project.
Sue Englander; spoke on George Moscone as a great humanitarian.
Douglas Yep; expressed various concerns.
Christopher Gall; expressed various concerns.
John; expressed various concerns.
Male Speaker; expressed various religious concerns.

Supervisor Farrell was noted absent at 5:43 p.m. and for the remainder of the meeting.
Supervisor Cohen was noted absent at 5:46 p.m. and for the remainder of the meeting.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

131016 [Buck Delventhal Day - November 20, 2013]

Sponsors: Wiener; Campos and Chiu

Resolution declaring November 20, 2013, as Buck Delventhal Day in the City and County of San Francisco in recognition of his receipt of two prestigious awards honoring his contributions in the field of municipal law and his longstanding service and ongoing leadership in the San Francisco City Attorney's Office.

Supervisor Chiu requested to be added as a co-sponsor.

ADOPTED

131104 [Concurring in the Continuation of the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Motion concurring in the continuation of the "Rim Fire" Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

Motion No. M13-151

APPROVED

131081 [Final Map 4556 - 277 Golden Gate Avenue]

Motion approving Final Map 4556, an 88 Residential Unit and One Commercial Unit, Mixed-Use Condominium Project, located at 277 Golden Gate Avenue being a subdivision of Assessor's Block No. 0348, Lot No. 015, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-152

APPROVED

131082 [Final Map 7543 - 3418-26th Street]

Motion approving Final Map 7543, an 11 Residential Unit Condominium Project, located at 3418-26th Street being a subdivision of Assessor's Block No. 6529, Lot No. 034, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-153

APPROVED

131097 [Final Map 7437 - 246 Ritch Street]

Motion approving Final Map 7437, a 19 Residential Unit and one Commercial Unit, Mixed-Use Condominium Project, located at 246 Ritch Street being a subdivision of Assessor's Block No. 3776, Lot No. 092, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-154

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Kim, Mar, Tang, Wiener, Yee
Absent: 2 - Cohen, Farrell

IMPERATIVE AGENDA

There were no items.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCE

131078 [Settlement of Lawsuit - Yekaterina Gayza - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Yekaterina Gayza against the City and County of San Francisco for $50,000; the lawsuit was filed on July 27, 2012, in San Francisco Superior Court, Case No. CGC 12-522744; entitled Yekaterina Gayza v. City and County of San Francisco, et al.; other material terms of said settlement are that the City and County of San Francisco will satisfy any lien asserted by Healthy San Francisco for treatment related to Yekaterina Gayza's injury from her fall that provided the basis for San Francisco Superior Court, Case No. CGC 12-522744; entitled Yekaterina Gayza v. City and County of San Francisco, et al. (City Attorney's Office)

10/31/13; RECEIVED FROM DEPARTMENT.

11/19/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

131079 [Settlement of Claim - Pacific Gas and Electric Company - $35,000]

Resolution approving the settlement of the unlitigated claim filed by Pacific Gas and Electric Company against the City and County of San Francisco for $35,000; claim was filed on June 17, 2013. (City Attorney's Office)

10/31/13; RECEIVED FROM DEPARTMENT.

11/19/13; RECEIVED AND ASSIGNED to Rules Committee.

131080 [Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]

Resolution fixing prevailing wage rates for workers performing work under City contracts for public work and improvement; workers performing work under City contracts for janitorial services; workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; workers engaged in theatrical or technical services for shows on property owned by the City; workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; and workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission)

10/29/13; RECEIVED FROM DEPARTMENT.

11/19/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131098 [Lease - Airport Amenities and Business Services - Total Minimum $1,260,000]
Resolution approving the Airport Amenities and Business Services Lease, between Airport Travel Agency, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a seven year term with a minimum annual guarantee of $180,000 and a total minimum amount of $1,260,000 to commence following Board approval, over the entire term. (Airport Commission)

11/08/13; RECEIVED FROM DEPARTMENT.

11/19/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:11 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

DEC - 2 2013

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PUBLIC LIBRARY

Tuesday, November 26, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:30 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:08 p.m. On the call of the roll, Supervisor Kim was noted absent. There was a quorum.

Supervisor Kim was noted present at 2:09 p.m.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Breed, moved to approve the Board Meeting Minutes of October 22, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

131139 [Formal Policy Discussions - November 26, 2013]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 1 and 3. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mayor Lee, According to the recent Budget and Legislative Analyst's report on San Francisco's eviction crisis, between 2009 and 2013 the Richmond District, as a whole, has had 79 Ellis Act evictions and 202 no-fault evictions, placing my District among the leaders in both of these categories. We also have among the highest number of seniors, many with mobility issues. Unfortunately, the Richmond District and the entire west side of the City lacks the tenant focused services that are concentrated on the east side of town. Given the tremendous need for tenant services and the geographic inequity in their distribution within San Francisco, I would like to begin exploring, with your assistance, the possibility of establishing a multi-service center in the Richmond District, that would include tenant focused services.

Can you commit to assisting my office in doing so? (Supervisor Mar, District 1)

2. Every day, we see rental and homeownership prices in San Francisco rise further beyond the reach of everyday San Franciscans. To address the affordability crisis, your office is working closely with me, my colleagues and community members on efforts to prioritize housing for Ellis Act evictees, assist nonprofits in danger of displacement, and stabilize housing for people who live in non-permitted in-law units, among other initiatives. While building subsidized affordable housing won't alone solve the crisis, we also know that last year's voter approved Housing Trust Fund will provide $1.3 billion of affordable housing for low and middle income San Franciscans in the coming decades. Can you provide us with an update on affordable housing units under construction and planned for the near future, as well as an update on other housing programs supported by the Trust Fund? What creative approaches can we take now to build these affordable units as quickly as possible? What else can we do to encourage developers to build affordable units on site as they construct market rate housing? (Supervisor Chiu, District 3)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

130797 [Contract Amendment - Dominion Voting Systems, Inc. - Not to Exceed $19,690,933.25]

Ordinance authorizing the Department of Elections to enter into the third amendment of an agreement with Dominion Voting Systems, Inc., to commence following Board approval, to extend the term of the agreement through December 10, 2016, increasing the total not-to-exceed amount of the agreement by $3,645,900 from $16,045,033.25 to $19,690,933.25. (Elections Department) (Fiscal Impact)

FINALLY PASSED

130860 [Appropriation - Parking Garage Revenue and Expenditure - $13,786,681 - FY2013-2014]

Sponsor: Mayor

Ordinance appropriating $13,786,681 of parking garage revenue and expenditures to the Municipal Transportation Agency, consisting of $8,513,825 for the 5th and Mission Parking Garage and $5,272,856 for the Ellis-O'Farrell Parking Garage, in order to support the Department's projected revenue and expenditure increases.

FINALLY PASSED

131031 [Business and Tax Regulations Code - Business Tax Installment Payments; Combined Reporting; Special Assessments]

Sponsor: Chiu

Ordinance amending the Business and Tax Regulations Code to provide additional penalty relief for payroll expense tax and gross receipts tax payments; to require combined reporting of the payroll expense tax by related taxpayers; and to clarify that fees and special assessments are administered according to the common administrative provisions applicable to other business taxes.

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

130970 [Changes to Special Tax District No. 2009-1 - San Francisco Sustainable Financing]

Sponsors: Mayor; Chiu, Tang and Wiener

Resolution making changes to City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) to authorize seismic safety standard retrofits to certain privately owned buildings or real property; and directing the Clerk of the Board to publish a notice of public hearing and other matters related thereto.

ADOPTED

130971 [Amended and Restated Local Goals and Policies - Community Facilities Districts and Special Tax Districts]

Sponsors: Mayor; Chiu, Tang and Wiener

Resolution adopting amended and restated Local Goals and Policies to provide financial flexibility in connection with the formation of Special Tax Districts, pursuant to Administrative Code, Chapter 43, Article X.

ADOPTED

Recommendations of the Rules Committee

130955 [Settlement of Administrative Enforcement Action - San Francisco Bay Regional Water Quality Control Board - $608,310]

Ordinance authorizing settlement of the unlitigated administrative enforcement action filed by the San Francisco Bay Regional Water Quality Control Board against the City and County of San Francisco for $608,310; and appropriating $608,310 for this purpose from the Public Utilities Commission Water Enterprise fund balance. (City Attorney's Office)

FINALLY PASSED

130956 [Settlement of Lawsuit - Carlos Hutcherson, et al. - $125,000]

Ordinance authorizing settlement of the lawsuit filed by Carlos Hutcherson, Tarasa Gates, and Donald Walton against the City and County of San Francisco for $125,000; the lawsuit was filed on December 21, 2012, in United States District Court, Case No. 12-cv-6481; entitled Carlos Hutcherson, et al., v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

131013 [Settlement of Lawsuits - Zeno Zimmerman - $145,000]

Ordinance authorizing settlement of the lawsuits filed by Zeno Zimmerman against the City and County of San Francisco for $145,000; the lawsuits were filed on December 6, 2011, in San Francisco Superior Court, Case Nos. CGC-11-516360 and CGC-11-516361 (consolidated); entitled Zeno Zimmerman v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

131014 [Settlement of Lawsuit - Calkin, et al. - $862,500]

Ordinance authorizing partial settlement of the lawsuit filed by Donald Calkin, Gordon Clark, Silvia David, Sally Foster, John Higgins, Janet Lacampagne, Kenneth Sanchez, Colleen Sullivan, and Lee Sullivan against the City and County of San Francisco for $862,500; the lawsuit was filed on May 18, 2012, in United States District Court, Northern District of California, Case No. C12-02584 JCS; entitled Donald Calkin, Gordon Clark, Silvia David, Sally Foster, John Higgins, Janet Lacampagne, Kenneth Sanchez, Colleen Sullivan, and Lee Sullivan v. City and County of San Francisco. (City Attorney's Office)

FINALLY PASSED

131033 [California Code of Civil Procedure, Section 998 - Offer to Compromise to Defendants - Anshen and Allen, Architects Inc.]

Sponsor: Yee

Ordinance authorizing the City Attorney to make a California Code of Civil Procedure, Section 998, Offer to Compromise to Defendants to the City in the lawsuit entitled City and County of San Francisco v. Anshen and Allen, Architects, Inc., et al., Alameda County Superior Court Case No. RG13679711.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

130940 **[Contract Agreement - IPS Group, Inc. - Award of Single-Space Parking Meter Procurement and Support Services - Not to Exceed $54,000,000]**

Sponsor: Avalos

Resolution authorizing the Municipal Transportation Agency to enter into an agreement with IPS Group, Inc., for the procurement of single-space parking meters and support services, for an amount not to exceed $54,000,000 and for a term of five years, to commence following Board approval, with the option to extend the contract for up to two additional years.

(Fiscal Impact)

(Supervisor Farrell dissented in Committee.)

Privilege of the floor was granted to Ed Reiskin, Director (Municipal Transportation Agency) and Jon Givner (Office of the City Attorney), who responded to questions raised throughout the discussion.

Supervisor Avalos, seconded by Supervisor Mar, moved that this Resolution be AMENDED on Page 1, Lines 1 and 5, by changing '$54,000,000' to '$51,200,000'; Page 2, Line 2, by changing '10,000' to '5,000', and Lines 4-7, by adding 'WHEREAS, The Board of Supervisors understands that it is the intention of the SFMTA that the additional 5,000 single-space meters be allocated as follows: 1,200 for Port meter replacement; 2,800 to replace damaged meters; and 1,000 to be used as a maintenance float; and'; and Page 3, Lines 7-11, by adding 'WHEREAS, On November 19, 2013, the SFMTA Board of Directors adopted Resolution No. 13-253, approving the Notification Requirements for New Meter Installation Proposals, which establishes additional notification standards for Operations, Local Neighborhood, and Area-Wide parking management projects proposing the installation of new parking meters; and', Line 12, by changing 'A copy' to 'Copies', Lines 12-13, by changing 'is' to 'and SFMTA Resolution No. 13-253 are', and Line 18, by changing '$54 million' to '$51,200,000'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution authorizing the Municipal Transportation Agency to enter into an agreement with IPS Group, Inc., for the procurement of single-space parking meters and support services, for an amount not to exceed $51,200,000 and for a term of five years, to commence following Board approval, with the option to extend the contract for up to two additional years.

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee
Noes: 1 - Kim

NEW BUSINESS

Recommendations of the Budget and Finance Committee

131083 [Accept and Expend Private Grant - Mission Bay South Plan First Source Hiring Program, and Amendment to the Annual Salary Ordinance - FYs 2013-2014 and 2014-2015 - $500,000]

Sponsor: Mayor

Ordinance retroactively authorizing the Office of Economic and Workforce Development (OEWD) to accept and expend a grant in the amount of $500,000 from FOCIL-MB for the Mission Bay South Plan First Source Hiring Program, and amending Ordinance No. 160-13 (Annual Salary Ordinance, FYs 2013-2014 and 2014-2015) to reflect addition of two Class 9704 Employment and Training Specialists III positions (1.00 FTE) and one Class 2992 Contract Compliance Officer I position (0.50 FTE) in the Office of Economic and Workforce Development for the period of October 1, 2013, to June 30, 2016.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131084 [Appropriation - General Hospital Improvement General Obligation Bonds - FY2013-2014 - $209,955,000]

Sponsor: Mayor

Ordinance appropriating $209,955,000 of General Obligation Bond Proceeds approved by voters under Proposition A in the November 2008 election, authorizing the issuance of General Obligation Bonds for the building or rebuilding and earthquake safety improvement of the General Hospital and Trauma Center in the Department of Public Health for FY2013-2014.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131089 [Waiver of Payment in Lieu of Taxes - Housing Authority - FYs 1991-1992 to 2012-2013]

Sponsor: Mayor

Resolution approving a waiver of the payment in lieu of taxes (PILOT) for FYs 1991-1992 to 2012-2013 from the Housing Authority of the City and County of San Francisco.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131090 [Sale of General Obligation Bonds - General Hospital Improvement - Not to Exceed $209,955,000]

Sponsor: Mayor

Resolution authorizing and directing the sale of not to exceed $209,955,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds, Series 2013D; prescribing the form and terms of said bonds; authorizing the execution, authentication, and registration of said bonds; providing for the appointment of depositories and other agents for said bonds; providing for the establishment of accounts related to said bonds; providing for the manner of sale of said bonds by competitive sale; approving the forms of official notice of sale and notice of intention to sell bonds; directing the publication of the notice of intention to sell bonds; approving the form of the preliminary official statement and the form and execution of the official statement relating to the sale of said bonds; approving the form of the continuing disclosure certificate; authorizing and approving modifications to documents; declaring the City's intent to reimburse certain expenditures; ratifying certain actions previously taken; and granting general authority to City officials to take necessary actions in connection with the authorization, issuance, sale, and delivery of said bonds.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131091 [Issuance of Tax-Exempt Obligations - Pacific Primary - Not to Exceed $4,500,000]

Sponsor: Breed

Resolution approving the issuance of tax-exempt obligations by the Association of Bay Area Governments Finance Authority for nonprofit corporations in an aggregate principal amount not to exceed $4,500,000 to finance and refinance various capital facilities owned by Pacific Primary, a California nonprofit corporation, or an affiliate thereof; and determining other matters in connection therewith.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131093 [Multifamily Housing Revenue Bonds - 280 Beale Street - Not to Exceed $17,000,000]

Sponsor: Kim

Resolution declaring the intent of the City and County of San Francisco (the City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $17,000,000 for 280 Beale Street; authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $17,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the project, as defined herein, and the application, as defined herein.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

There were none.

SPECIAL ORDER 3:00 P.M.

Privilege of the floor was granted to John Malamut (Office of the City Attorney) and Jasmine Oberste (Appellant), who responded to questions raised throughout the discussion on File Nos. 130951, 130952, and 130953.

130951 [Denying Appeal for Waiver, Adjustment or Reduction of Condominium Conversion Fee - 273A-29th Street]

Motion denying the appeal seeking a waiver, adjustment or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 273A-29th Street. (Clerk of the Board)

Motion No. M13-155

Supervisor Kim, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee
Noes: 2 - Farrell, Wiener

130952 [Approving Waiver, Adjustment or Reduction of Condominium Conversion Fee - 273A-29th Street]

Motion approving a waiver, adjustment or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 273A-29th Street. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee
Noes: 2 - Farrell, Wiener

130953 [Preparation of Findings Related to the Appeal for Waiver, Adjustment or Reduction of Condominium Conversion Fee - 273A-29th Street]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to approve a waiver, adjustment or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 273A-29th Street. (Clerk of the Board)

Supervisor Kim, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee
Noes: 2 - Farrell, Wiener

SPECIAL ORDER 3:00 P.M.

130990 [Public Hearing - Appeal of Application of Condominium Conversion Fee - 124-5th Avenue, Apartment 2]

Hearing of persons interested in or objecting to the application of the condominium conversion fee per Subdivision Code, Section 1396.4(j), for property located at 124-5th Avenue, Apartment 2, Assessor's Block No. 1364, Lot No. 034. (District 2) (Appellant: Scott Yarmark) (Filed October 3, 2013). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. Gigi Whitley (Mayor's Office of Housing and Community Development) provided an overview of the decision of the Mayor's Office of Housing and Community Development and responded to questions raised throughout the discussion. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

130991 [Denying Appeal for Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 2]

Motion denying the appeal seeking a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 2. (Clerk of the Board)

Motion No. M13-156

Supervisor Breed, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee
Noes: 2 - Farrell, Wiener

130992 [Approving Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 2]

Motion approving a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 2. (Clerk of the Board)

Supervisor Breed, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee
Noes: 2 - Farrell, Wiener

130993 [Preparation of Findings Related to the Appeal for Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 2]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to approve a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 2. (Clerk of the Board)

Supervisor Breed, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee
Noes: 2 - Farrell, Wiener

SPECIAL ORDER 3:00 P.M.

130994 [Public Hearing - Appeal of Application of Condominium Conversion Fee - 124-5th Avenue, Apartment 5]

Hearing of persons interested in or objecting to the application of the condominium conversion fee per Subdivision Code, Section 1396.4(j), for property located at 124-5th Avenue, Apartment 5, Assessor's Block No. 1364, Lot No. 034. (District 2) (Appellant: William Jeffery Rolf) (Filed October 7, 2013). (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board. William Jeffery Rolf (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal and waive the application fee. Gigi Whitley (Mayor's Office of Housing and Community Development) provided an overview of the decision of the Mayor's Office of Housing and Community Development and responded to questions raised throughout the discussion. There were no other speakers. The President declared the public hearing closed.

HEARD AND FILED

130995 [Denying Appeal for Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 5]

Motion denying the appeal seeking a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 5. (Clerk of the Board)

Motion No. M13-157

Supervisor Breed, seconded by Supervisor Campos, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee
Noes: 2 - Farrell, Wiener

130996 [Approving Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 5]

Motion approving a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 5. (Clerk of the Board)

Supervisor Breed, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee
Noes: 2 - Farrell, Wiener

130997 [Preparation of Findings Related to the Appeal for Waiver, Adjustment, or Reduction of Condominium Conversion Fee - 124-5th Avenue, Apartment 5]

Motion directing the Clerk of the Board to prepare findings relating to the Board of Supervisors' decision to approve a waiver, adjustment, or reduction of the condominium conversion fee in Subdivision Code, Section 1396.4(j), for 124-5th Avenue, Apartment 5. (Clerk of the Board)

Supervisor Breed, seconded by Supervisor Campos, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Kim, Mar, Tang, Yee
Noes: 2 - Farrell, Wiener

COMMITTEE REPORTS

Recommendation of the Rules Committee

131088 [Appointment, Director of the San Francisco Bay Area Regional Water System Financing Authority - Harlan L. Kelly, Jr.]

Sponsor: Mayor

Resolution appointing Harlan L. Kelly, Jr., for a four-year term, to commence upon Board of Supervisors' approval, as a Director of the San Francisco Bay Area Regional Water System Financing Authority.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

130968 [Administrative, Planning Codes - Ellis Act Displaced Emergency Assistance Ordinance]

Sponsors: Chiu; Campos, Kim, Mar, Breed, Farrell and Cohen

Ordinance amending the Administrative and Planning Codes to provide a preference in occupying units or receiving assistance under all affordable housing programs administered or funded by the City, including all former San Francisco Redevelopment Agency affordable housing programs administered or funded by the City, to certain tenants being evicted under the Ellis Act, California Government Code, Section 7060 et seq.; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Supervisors Farrell and Cohen requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131069 [Construction Approval - West Garden Cafe Project - Academy of Sciences in Golden Gate Park]

Sponsors: Mar; Tang

Resolution approving the construction of a cafe in the West Garden of the Academy of Sciences in Golden Gate Park pursuant to Charter, Section 4.113; adopting findings pursuant to the California Environmental Quality Act; and adopting findings of consistency with the Golden Gate Park Master Plan, the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131119 **[Transportation Code - Inoperable/Broken Parking Meter Time Limits]**
Sponsor: Chiu

Ordinance amending the Transportation Code, Division I, to clarify the definition for "Parking Meter" to include electronic pay stations, and change the time limit for parking at inoperable or broken parking meters from two hours to the maximum time permitted for the parking meter; and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Vilia Feliciano; requested support of the boycott of Center Plate at AT&T Park.
Patricia Ramirez; requested support of the boycott of Center Plate at AT&T Park.
Robert McCall; requested support of the boycott of Center Plate at AT&T Park.
Lee Vaughn; expressed various concerns regarding parking and jobs.
Anthony Wendlberger; requested support of the boycott of Center Plate at AT&T Park.
Marie Nance; requested support of the boycott of Center Plate at AT&T Park.
Linda Chapman; expressed various concerns regarding affordable senior housing.
Douglas Yep; expressed various concerns.
Manuel Flores; expressed support of large events and workers.
Mike Casey; requested support of the boycott of Center Plate at AT&T Park.
Christopher Gall; expressed various concerns.
Tom Gilberty; expressed various concerns.
Male Speaker; expressed various religious concerns.
Male Speaker; expressed various concerns regarding money owed to him.
Larry Juicye Edmond; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

131113 **[Final Map 7472 Phase 1 - Mission Bay Block 1]**

Motion approving Phase 1, Final Map No. 7472 , Mission Bay Block 1, a three lot subdivision of Assessor's Block No. 8715, Lot No. 4, for financing and conveyancing purposes only; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan and plan documents. (Public Works Department)

Motion No. M13-158

APPROVED

131114 [Final Map 7444 - 1998 Market Street]

Motion approving Final Map 7444, a merger and resubdivision for a 115 residential unit and four commercial unit, mixed-use condominium project, located at 1998 Market Street being a subdivision of Assessor's Block No. 0872, Lot Nos. 005, 006, and 007; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-159

APPROVED

131115 [Final Map 7448 - 1600 Market Street]

Motion approving Final Map 7448, a 24 residential unit and two commercial unit, mixed-use condominium project, located at 1600 Market Street being a subdivision of Assessor's Block No. 0854, Lot No. 001; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-160

APPROVED

131116 [Final Map 7562 - 55-9th Street]

Motion approving Final Map 7562, a 273 residential unit and two commercial unit, mixed-use condominium project, located at 55-9th Street being a subdivision of Assessor's Block No. 3701, Lot No. 066; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-161

APPROVED

131132 [Supporting Assembly Bill 1266 - The School Success and Opportunity Act]

Sponsors: Campos; Mar, Avalos, Yee, Wiener and Chiu

Resolution supporting Assembly Bill 1266, authored by Assemblymember Tom Ammiano, set to take effect on January 1, 2014, which restates existing State law prohibiting discrimination against transgender students in public education and permitting students to participate in sex-segregated facilities and activities based on their gender identity.

Supervisor Chiu requested to be added as a co-sponsor.

ADOPTED

131133 [Declaration of Election Results of the November 5, 2013, Municipal Election]

Sponsor: Chiu

Resolution declaring the results of the November 5, 2013, Municipal Election.

ADOPTED

131134 [Supporting Senate Bill 316 and House Bill 630 - Postal Service Protection Act of 2013]

Sponsors: Chiu; Mar

Resolution supporting Senate Bill 316 and House Bill 630, the Postal Service Protection Act of 2013, and federal efforts to maintain levels of postal service provided by the United States Postal Service.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED

131135 [City Typhoon Relief Fund]

Sponsors: Chiu; Mar

Resolution urging the Mayor and Department of Human Resources to explore establishing a method by which City employees can donate to a Typhoon Relief Fund for the Philippines.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED

131136 [Supporting the Secure Our Smartphone Initiative]

Sponsors: Kim; Mar and Chiu

Resolution supporting the Secure Our Smartphones Initiative, the objective of which is to demand that smartphone manufacturers implement technological solutions to remove the economic incentives that support and drive the theft and re-sale of smartphone devices.

Supervisors Mar and Chiu requested to be added as co-sponsors.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

There were none.

PROPOSED RESOLUTIONS

131112 **[Settlement of Claim - United States of America (U.S. Coast Guard) - $973,287.38]**
Resolution approving the settlement of the unlitigated claim by the United States of America (U.S. Coast Guard) against the City and County of San Francisco for $973,287.38; claim was served on June 5, 2012. (City Attorney)

11/15/13; RECEIVED FROM DEPARTMENT.

11/26/13; RECEIVED AND ASSIGNED to Rules Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:54 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

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10/13

Tuesday, December 10, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:30 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:13 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Breed, moved to approve the Board Meeting Minutes of October 29, 2013, and November 5, 2013. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Committee

131083 [Accept and Expend Private Grant - Mission Bay South Plan First Source Hiring Program, and Amendment to the Annual Salary Ordinance - FYs 2013-2014 and 2014-2015 - $500,000]

Sponsor: Mayor

Ordinance retroactively authorizing the Office of Economic and Workforce Development (OEWD) to accept and expend a grant in the amount of $500,000 from FOCIL-MB for the Mission Bay South Plan First Source Hiring Program, and amending Ordinance No. 160-13 (Annual Salary Ordinance, FYs 2013-2014 and 2014-2015) to reflect addition of two Class 9704 Employment and Training Specialists III positions (1.00 FTE) and one Class 2992 Contract Compliance Officer I position (0.50 FTE) in OEWD for the period of October 1, 2013, to June 30, 2016.

FINALLY PASSED

131084 [Appropriation - General Hospital Improvement General Obligation Bonds - FY2013-2014 - $209,955,000]

Sponsor: Mayor

Ordinance appropriating $209,955,000 of General Obligation Bond Proceeds approved by voters under Proposition A in the November 2008 election, authorizing the issuance of General Obligation Bonds for the building or rebuilding and earthquake safety improvement of the General Hospital and Trauma Center in the Department of Public Health for FY2013-2014.
(Fiscal Impact)

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

130968 [Administrative, Planning Codes - Ellis Act Displaced Emergency Assistance Ordinance]

Sponsors: Chiu; Campos, Kim, Mar, Breed, Farrell and Cohen

Ordinance amending the Administrative and Planning Codes to provide a preference in occupying units or receiving assistance under all affordable housing programs administered or funded by the City, including all former San Francisco Redevelopment Agency affordable housing programs administered or funded by the City, to certain tenants being evicted under the Ellis Act, California Government Code, Section 7060 et seq.; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED

131119 [Transportation Code - Inoperable/Broken Parking Meter Time Limits]

Sponsor: Chiu

Ordinance amending the Transportation Code, Division I, to clarify the definition for "Parking Meter" to include electronic pay stations, and change the time limit for parking at inoperable or broken parking meters from two hours to the maximum time permitted for the parking meter; and making environmental findings.

FINALLY PASSED

131131 [Street Encroachment - Operator Convenience Facilities - Terminus of Muni Transit Lines]

Sponsors: Wiener; Tang

Resolution correcting Resolution No. 362-13, which granted revocable permission to the Municipal Transportation Agency to occupy portions of the public right-of-way to install and maintain two new operator convenience facilities at the terminus of various Muni bus routes; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED

Recommendations of the Rules Committee

130695 [Settlement of Lawsuit - Larry Jacobs - $175,000]

Ordinance authorizing settlement of the lawsuit filed by Larry Jacobs against the City and County of San Francisco for $175,000; the lawsuit was filed on January 27, 2011, in the California Superior Court, San Francisco Branch, Case No. CGC-11-507691, entitled Larry Jacobs v. City and County of San Francisco. (City Attorney's Office)

PASSED, ON FIRST READING

131078 [Settlement of Lawsuit - Yekaterina Gayza - $50,000]

Ordinance authorizing settlement of the lawsuit filed by Yekaterina Gayza against the City and County of San Francisco for $50,000; the lawsuit was filed on July 27, 2012, in San Francisco Superior Court, Case No. CGC 12-522744; entitled Yekaterina Gayza v. City and County of San Francisco, et al.; other material terms of said settlement are that the City and County of San Francisco will satisfy any lien asserted by Healthy San Francisco for treatment related to Yekaterina Gayza's injury from her fall that provided the basis for San Francisco Superior Court, Case No. CGC 12-522744; entitled Yekaterina Gayza v. City and County of San Francisco, et al. (City Attorney's Office)

PASSED, ON FIRST READING

131079 [Settlement of Claim - Pacific Gas and Electric Company - $35,000]

Resolution approving the settlement of the unlitigated claim filed by Pacific Gas and Electric Company against the City and County of San Francisco for $35,000; claim was filed on June 17, 2013. (City Attorney's Office)

ADOPTED

131102 [Appointment, Bicycle Advisory Committee - Micah Allen]

Motion appointing Micah Allen, term ending November 19, 2014, to the Bicycle Advisory Committee. (Clerk of the Board)

Motion No. M13-162

APPROVED

131110 [Appointment, Citizen's Committee on Community Development - Miquel Penn]

Motion appointing Miquel Penn, term ending February 23, 2014, to the Citizen's Committee on Community Development. (Clerk of the Board)

Motion No. M13-163

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

130801 [Contract Amendment - Global Tel*Link - Inmate Telephone Services - $3,000,000]
Resolution retroactively authorizing the Sheriff's Department to amend the existing contract with Global*TelLink for inmate telephone services from June 1, 2010, to May 31, 2013, to June 1, 2010, to May 31, 2014, with an additional one-year option to extend the term remaining, which will result in an anticipated commission to the Inmate Welfare Fund of more than $3,000,000 over the four-year contract term. (Sheriff)

Privilege of the floor was granted to Bree Mawhorter (Sheriff's Department), Jon Givner (City Attorney's Office), and Sheriff Ross Mirkarimi (Sheriff's Department), who responded to questions raised throughout the discussion.

Supervisor Breed, seconded by Supervisor Campos, moved that this Resolution be AMENDED on Page 1, Line 6, by adding 'subject to future Board of Supervisors approval'; and Page 2, Lines 16-17, by deleting 'with an additional one year option exercisable by the Sheriff's Department', and Lines 18-23, by adding 'FURTHER RESOLVED, That the amended agreement provides that the City may extend the agreement for one additional year, to May 31, 2015, at the City's option. The Board of Supervisors may approve the exercise of that option in the future, but this Resolution does not approve it. If the Sheriff's Department seeks to exercise that one-year option, the department shall seek advance approval from the Board by a future resolution; and, be it'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution retroactively authorizing the Sheriff's Department to amend the existing contract with Global*TelLink for inmate telephone services from June 1, 2010, to May 31, 2013, to June 1, 2010, to May 31, 2014, with an additional one-year option to extend the term remaining subject to future Board of Supervisors approval, which will result in an anticipated commission to the Inmate Welfare Fund of more than $3,000,000 over the four-year contract term. (Sheriff)

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Avalos, Breed, Campos, Chiu, Farrell, Mar, Tang, Wiener, Yee
Noes: 2 - Cohen, Kim

NEW BUSINESS

Recommendations of the Budget and Finance Committee

130879 [Agreement Amendment - Airport Professional Services - Operation and Maintenance Services - AirTrain System - Not to Exceed $98,700,000]

Resolution approving Amendment No. 1 to Professional Services Agreement, Airport Contract No. 8838, to provide Operation and Maintenance Services for the AirTrain System, between Bombardier Transportation (Holdings) USA, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $98,700,000 pursuant to Charter, Section 9.118(b) for the period of March 1, 2014, through February 28, 2017. (Airport Commission)
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130902 [Master Lease Amendment - United States Navy - Treasure Island South Waterfront]

Resolution retroactively approving the Twenty-Ninth Amendment to the Treasure Island South Waterfront Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year, for the period of December 1, 2013, through November 30, 2014. (Treasure Island Development Authority)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130903 [Master Lease Amendment - United States Navy - Treasure Island Land and Structures]

Resolution retroactively approving the Thirty Eighth Amendment to the Treasure Island Land and Structures Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year, for the period of December 1, 2013, through November 30, 2014; and amend the leased premises. (Treasure Island Development Authority)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130904 [Master Lease Amendment - United States Navy - Treasure Island Marina]

Resolution retroactively approving the Seventeenth Amendment to the Treasure Island Marina Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year, for the period of December 1, 2013, through November 30, 2014. (Treasure Island Development Authority)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130905 [Master Lease Amendment - United States Navy - Treasure Island Childcare]
Resolution retroactively approving the Ninth Amendment to the Treasure Island Childcare Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year, for the period of December 1, 2013, through November 30, 2014. (Treasure Island Development Authority)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130906 [Master Lease Amendment - United States Navy - Treasure Island Event Venues]
Resolution retroactively approving the Twenty Fifth Amendment to the Treasure Island Event Venues Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year, for the period of December 1, 2013, through November 30, 2014. (Treasure Island Development Authority)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130907 [Master Lease Amendment - United States Navy - Fire Fighting Training Center]
Resolution retroactively approving the Fifth Amendment to the Treasure Island Fire Fighting Training Center Master Lease between the Treasure Island Development Authority and the United States Navy to extend the term for one year, for the period of December 1, 2013, through November 30, 2014. (Treasure Island Development Authority)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131022 [Contract Modification - Guardsmark, LLC - Security Services - $21,226,260]
Resolution retroactively approving the contract modification between the City and County of San Francisco and Guardsmark, LLC, to provide security services for the Human Services Agency, to extend the term by two months, for a revised period of December 1, 2008, through January 31, 2014, in the modified amount of $21,226,260.
(Fiscal Impact)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131066 [Accept and Expend Grant - Kaiser Permanente Foundation - $200,000]
Sponsors: Mayor; Cohen
Resolution retroactively authorizing the Arts Commission to accept and expend a grant in the amount of $200,000 from the Kaiser Permanente Foundation for the Bayview Opera House Plaza Renovation and Restoration for the period of July 31, 2013, through August 1, 2014.

Supervisor Cohen requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131123 [Appropriation - Transit Center District Funds and Transportation Development Impact Fees - FY2013-2014 - $4,388,000]

Sponsor: Mayor

Ordinance appropriating $4,388,000 of Transit Center District Funds and Transportation Development Impact fees revenue and capital project fund expenditures to the Municipal Transportation Agency in order to support capital projects in FY2013-2014.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131125 [Accept and Expend Grant - Dislocated Worker Additional Assistance - $902,465]

Sponsor: Mayor

Resolution retroactively authorizing the Office of Economic and Workforce Development to accept and expend a grant in the amount of $902,465 for the period of October 1, 2013, through March 31, 2015, from the U.S. Department of Labor passed through California Employment Development Department for the Dislocated Worker Additional Assistance Grant.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131127 [Amendment - San Francisco Tourism Improvement District Management District Plan]

Sponsors: Mayor; Chiu and Kim

Resolution approving an amendment to the San Francisco Tourism Improvement District Management District Plan, in accordance with California Streets and Highways Code, Section 36636, to require monthly, instead of quarterly, assessment, collection and distribution of assessment funds by the Office of the Treasurer and Tax Collector.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131128 [Amendment - Moscone Expansion District Management District Plan]

Sponsors: Mayor; Chiu and Kim

Resolution approving amendments to the Moscone Expansion District Management District Plan for the business-based business improvement district, known as the "Moscone Expansion District," in accordance with the California Streets and Highways Code, Section 36636, to require the monthly, instead of quarterly, assessment, collection, and transfer of assessments by the Office of the Treasurer and Tax Collector; and an agreement with the nonprofit Owners' Association for administration/management of the District in accordance with the California Streets and Highways Code, Section 36651.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131129 [Accept and Expend Grant - Infill Infrastructure - $5,661,107]

Sponsor: Cohen

Resolution authorizing the Mayor's Office of Housing and Community Development to accept and expend an Infill Infrastructure Grant from the California State Department of Housing and Community Development in the amount of $5,661,107 to commence following Board approval, for the housing development at 5800 Third Street.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131142 [Urging the Restart of GreenFinanceSF]

Sponsors: Mayor; Farrell, Chiu, Wiener, Kim, Tang, Mar, Yee and Cohen

Resolution urging the restart of GreenFinanceSF and supporting the Mayor, Department of the Environment, and Office of Public Finance to enable City residents to finance the costs of energy efficiency and renewable energy capital improvements; and to take such other actions necessary therefor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131144 [Office of Community Investment and Infrastructure Budget - Not To Exceed $70,000,000]

Sponsor: Mayor

Resolution authorizing the Office of Community Investment and Infrastructure, operating as the Successor Agency to the Redevelopment Agency, to issue and expend bonds in an aggregate principal amount not to exceed $70,000,000 for the purpose of financing a portion of enforceable obligations in the Mission Bay South redevelopment project area in the current or future budget years.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

131000 [Street Acceptance for Lee Avenue (North of Ocean); Approval of a Sidewalk Easement for Brighton Avenue (North of Ocean)]

Sponsor: Yee

Ordinance accepting an irrevocable offer for a public sidewalk easement on the Brighton Avenue Extension north of Ocean Avenue and accepting an easement for these purposes; accepting an irrevocable offer for improvements and real property related to Lee Avenue north of Ocean Avenue and accepting a grant deed for these purposes; authorizing the conditional acceptance of an irrevocable offer for sidewalk improvements for Ocean Avenue east of Lee Avenue; declaring such areas to be open public right-of-way and dedicating them for right-of-way and roadway purposes; accepting maintenance and liability for these areas subject to certain limitations; establishing public right-of-way width and sidewalk width for the Lee Avenue and the Ocean Avenue sidewalks; approving an interdepartmental transfer of property for a portion of Lee Avenue and for a sidewalk area fronting a portion of Ocean Avenue; approving and making findings, including environmental findings and general plan and priority policy findings; and authorizing official acts in connection with this Ordinance.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131068 [Interim Zoning - Building Permits for Commercial Uses in an Area Bounded by Market, Second, Brannan, Division, and South Van Ness Streets]

Sponsors: Kim; Chiu and Campos

Resolution imposing interim zoning controls to require that, for a 12-month period, in the area bounded by Market Street from Van Ness Street east to 5th Street on the north side and east to 2nd Street on the south side, 2nd Street south to Brannan Street, Brannan Street west to Division Street, and South Van Ness Street north to Market Street: certain building permits for any buildings with some commercial use shall require the posting of a notice and a 15-day delay in starting the work, and the re-establishment of a commercial use that has been converted to residential use shall require Planning Commission approval through either an authorization under Planning Code, Section 320 et seq., or a conditional use authorization; and making environmental findings, and a determination of consistency with the eight priority policies of Planning Code, Section 101.1.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Privilege of the floor was granted to Jon Givner (City Attorney's Office), who responded to questions raised throughout the discussion.

Supervisor Campos requested to be added as a co-sponsor.

Supervisor Kim, seconded by Supervisor Breed, moved that this Resolution be AMENDED on Page 4, Lines 4-8, by changing the clause to read 'FURTHER RESOLVED, That during the pendency of these interim controls, the re-establishment of any commercial use that has been converted to residential use shall require Planning Commission approval through a conditional use and, if triggered by Planning Code Section 322, a Proposition M authorization'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendation of the Neighborhood Services and Safety Committee

131032 [Police Code - Litter Enforcement]

Sponsor: Cohen

Ordinance amending the Police Code to update the list of City job classifications responsible for enforcement of litter laws and having the power to issue citations for that purpose.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

130787 [Administrative Code - Timelines and Procedures for Releasing Open Data]
Sponsors: Farrell; Chiu, Campos and Cohen
Ordinance amending the Administrative Code to modify open data standards and set deadlines for releasing open data.

Supervisors Chiu, Campos, and Cohen requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131018 [Confirming Appointment, Treasure Island Development Authority Board of Directors - Vivian Fei Tsen]
Motion confirming the Mayor's appointment of Vivian Fei Tsen, term ending February 26, 2014, to the Treasure Island Development Authority Board of Directors. (Mayor)

Motion No. M13-164

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Farrell, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Barbara Garcia, Colleen Chawla, Loraine Cook, John Rahaim, Claudia Flores, Elizabeth Watty, Devyani Jain, Don Lewis, Aksel Olsen, Tomas Aragon, and Roma Guy in recognition of their work creating the Health Care Service Master Plan.

Supervisor Farrell introduced, welcomed, and presented a Certificate of Honor to the Viking Courage Girls Soccer Team in recognition of their accomplishments in winning the NorCal State Cup and the San Francisco CCSL Prep Tournament.

Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to Rodney Hampton in recognition of his accomplishments working with the Department of Public Works and continued community support in keeping the streets of District 10 clean.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Project Read in recognition of their 30th anniversary, accomplishments, and continued community support.

COMMITTEE REPORTS

Recommendation of the Rules Committee

131108 [Appointment, Treasury Oversight Committee - Charles Perl]

Motion appointing Charles Perl, term ending June 5, 2017, to the Treasury Oversight Committee. (Clerk of the Board)

Motion No. M13-165

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Land Use and Economic Development Committee

130041 [Planning Code - Conversion, Demolition, Merger, and Conformity of Residential Uses]

Sponsor: Avalos

Ordinance amending the Planning Code to revise the criteria for residential demolition, merger and conversion, and to standardize those definitions across use districts and prohibit residential mergers where certain evictions of tenants have occurred; establish a strong presumption in favor of preserving dwelling units in enforcement of code requirements; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Privilege of the floor was granted to Jon Givner (City Attorney's Office) and Sophie Hayward (Planning Department), who responded to questions raised throughout the discussion.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Farrell, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED on Page 16, Line 20, by changing 'October 24, 2013' to 'December 10, 2013'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Tang, seconded by Supervisor Campos, moved that this Ordinance be AMENDED to change the moratorium from 'ten (10) years' to 'five (5) years' for certain evictions. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130783 [Planning Code - Nonconforming Uses: Enlargement, Alteration or Reconstruction]

Sponsor: Avalos

Ordinance amending the Planning Code to permit the enlargement, alteration or reconstruction of a dwelling or other housing structure that exceeds the permitted density of the district if dwelling units are principally permitted in the district and the enlargement, alteration or reconstruction does not extend beyond the building envelope as it existed on January 1, 2013, and if no tenants were evicted under certain provisions of the Rent Ordinance; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Privilege of the floor was granted to Jon Givner (City Attorney's Office) and Sophie Hayward (Planning Department), who responded to questions raised throughout the discussion.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Farrell, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED on Page 4, Line 11, by changing 'October 24, 2013' to 'December 10, 2013'. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Tang, seconded by Supervisor Campos, moved that this Ordinance be AMENDED to change the moratorium from 'ten (10) years' to 'five (5) years' for certain evictions. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130998 [Planning Code - Cottage Food Operation Controls]

Sponsor: Chiu

Ordinance amending the Planning Code, by adding Section 102.37 and amending Section 204.1, to allow Cottage Food Operation as an accessory use for dwelling units and increase the allowable area for accessory uses in dwelling units; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131149 [Adding the Name "Donaldina Cameron Alley" to Old Chinatown Lane]

Sponsors: Chiu; Mar

Resolution adding the name "Donaldina Cameron Alley" to Old Chinatown Lane in recognition of Donaldina Cameron and her many contributions to San Francisco.

This item was not sent as a Committee Report.

131150 [Adding the Name "Harold 'Bud' Moose Lane" to Merchant Street]

Sponsor: Chiu

Resolution adding the name "Harold 'Bud' Moose Lane" to Merchant Street in recognition of Bud Moose and his many contributions to San Francisco.

This item was not sent as a Committee Report.

131151 [Adding the Name "Enid Ng Lim Alley" to Bartol Street]
Sponsors: Chiu; Mar
Resolution adding the name "Enid Ng Lim Alley" to Bartol Street in recognition of Enid Ng Lim and her many contributions to San Francisco.

This item was not sent as a Committee Report.

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

James Chaffee; expressed concerns relating to the SF Public Library.
Peter Warfield; expressed concerns relating to the SF Public Library.
Karen How; expressed concerns regarding child care services.
Male Speaker; expressed support of banning the box.
Eugene Gordon, Jr.; expressed various concerns.
Steve Linsey; expressed concerns regarding the Sheriff's Criminal Mental Health Unit.
Male Speaker; expressed various concerns.
Shannon Bryant; expressed concerns regarding the installation of WiFi in parks.
Female Speaker; expressed concerns regarding the installation of WiFi in parks.
Douglas Yep; expressed various concerns.
Janet Muria; expressed support of Item No. 42, File No. 131153, on today's agenda.
Christopher Gall; expressed various concerns.
Tom Gilberty; expressed various concerns relating to noise pollution.
David Elliott Lewis; expressed concerns regarding the affordable housing crisis.
Male Speaker; expressed various religious concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

131153 [Supporting the Current Child Care and Development Resource and Referral Program Service Area in San Francisco]
Sponsors: Yee; Mar and Kim
Resolution urging the California Department of Education's Child Development Division to reconsider its decision to divide San Francisco's child care and development resource and referral service areas by zip code.

ADOPTED

131154 [Committing to a Food Secure and Hunger Free San Francisco]
Sponsors: Mar; Campos, Yee, Cohen and Chiu
Resolution committing the City and County of San Francisco to a food secure and hunger free San Francisco.

Supervisor Chiu requested to be added as a co-sponsor.

ADOPTED

131155 [Project Read Day - December 10, 2013]

Sponsor: Mar

Resolution commending Project Read on the occasion of its 30th Anniversary, and declaring December 10, 2013, as Project Read Day in San Francisco.

ADOPTED

131173 [Final Map 7632 - 333 Fremont Street]

Motion approving Final Map 7632, a two lot airspace subdivision, Parcel "A" being an 83 residential unit condominium project, located at 333 Fremont Street being a subdivision of Assessor's Block No. 3747, Lot No. 019; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-166

APPROVED

131174 [Final Map 7512 - 3135-24th Street]

Motion approving Final Map 7512, a nine residential unit and one commercial unit, mixed-use condominium project, located at 3135-24th Street being a subdivision of Assessor's Block No. 6520, Lot No. 036; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-167

APPROVED

131175 [Final Map 6508 - 1645 Pacific Avenue]

Motion approving Final Map 6508, a 39 residential unit and three commercial unit, mixed-use condominium project, located at 1645 Pacific Avenue being a subdivision of Assessor's Block No. 0595, Lot No. 013; and adopting findings pursuant to the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

Motion No. M13-168

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

131161 [Planning Code, Zoning Map - Adjacent Parcels and Western South of Market Cleanup]

Ordinance amending Zoning Map, Sheets ZN01, ZN07, ZN08, HT07, HT08, and SU07, to revise use districts and height and bulk districts for parcels adjacent to and within the Western South of Market Plan Area; to extend the Van Ness and Market Downtown Residential Special Use District; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

11/19/13; RECEIVED FROM DEPARTMENT.

12/10/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/9/2014.

131162 [General Plan - Parcels Adjacent to the Western South of Market, East South of Market, and Market and Octavia Area Plans]

Ordinance amending the General Plan by amending the boundaries of the East South of Market Area Plan to incorporate 40 nearby parcels on Mission Street, generally bounded by 7th Street to the east, 9th Street to the west, and Minna Street to the south; amending the Market and Octavia Planning Area to incorporate nine adjacent parcels along Mission Street and 10th Street, generally bound by Washburn Street to the east, and Minna Street to the south; amending the Western South Market Area Plan to remove one parcel on 10th Street; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

11/19/13; RECEIVED FROM DEPARTMENT.

12/10/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/9/2014.

131178 [Planning Code - Article 11 Designation of 660 California Street]

Ordinance amending the Planning Code to change the designation of 660 California Street, Assessor's Block No. 0241, Lot No. 011 (a.k.a. the Old St. Mary's Rectory), from Category V (Unrated) to Category III (Contributory) under Planning Code, Article 11; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

11/25/13; RECEIVED FROM DEPARTMENT.

12/10/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/25/2013.

131179 [Settlement of Lawsuit - John Wettstein - $247,500]
Ordinance authorizing settlement of the lawsuit filed by John Wettstein against the City and County of San Francisco by payment of up to $247,500; the lawsuit was filed on October 28, 2011, in the San Francisco Superior Court and removed to U. S. District Court, Northern District of California, on November 10, 2011, Case No. C11-5484-CRB; entitled John Wettstein v. City and County of San Francisco, et al. (City Attorney)

11/26/13; RECEIVED FROM DEPARTMENT.

12/10/13; RECEIVED AND ASSIGNED to Rules Committee.

131180 [Settlement of Lawsuit - Danilo Martin Molieri and Daniel Steven Molieri - $40,000]
Ordinance authorizing settlement of the lawsuit filed by Danilo Martin Molieri and Daniel Steven Molieri against the City and County of San Francisco for $40,000; the lawsuit was filed on December 1, 2010, in United States District Court, Case No. CV10-5430 MMC; entitled Danilo Martin Molieri, et al., v. City and County of San Francisco, et al. (City Attorney)

11/26/13; RECEIVED FROM DEPARTMENT.

12/10/13; RECEIVED AND ASSIGNED to Rules Committee.

131181 [Settlement of Lawsuit - Ricky Rein - $100,000]
Ordinance authorizing settlement of the lawsuit filed by Ricky Rein against the City and County of San Francisco for $100,000; the lawsuit was filed on November 30, 2012, in San Francisco Superior Court, Case No. CGC-12-523533; entitled Ricky Rein v. City and County of San Francisco, et al. (City Attorney)

11/26/13; RECEIVED FROM DEPARTMENT.

12/10/13; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

131163 [Term Sheet Endorsement - Pacific Gas and Electric Company ZA-1 Embarcadero-Potrero 230kV Transmission Project]
Resolution endorsing the Pacific Gas and Electric Company (PG&E) ZA-1 Embarcadero-Potrero 230kV Transmission project revised term sheet among the Port Commission, Office of Economic Workforce and Development, and PG&E. (Port)

11/20/13; RECEIVED FROM DEPARTMENT.

12/10/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/20/2013.

131172 [Interconnection Agreement - Pacific Gas and Electric Company - Solar Power Project - 201 Van Ness Avenue]
Resolution authorizing the Public Utilities Commission's General Manager to enter into a long term interconnection agreement with Pacific Gas and Electric Company, to commence following Board approval, for a Solar Power Project at Davies Symphony Hall, 201 Van Ness Avenue, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)

11/25/13; RECEIVED FROM DEPARTMENT.

12/10/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131182 [Emergency Contract - Clean Harbors Environmental Services, Inc. - Not to Exceed $1,000,000]

Resolution approving an emergency contract with Clean Harbors Environmental Services, Inc., for environmental clean-up of soil and water and regrading of the runway safety area after the crash landing of Asiana Airlines Flight 214 in an amount not to exceed $1,000,000 for services already performed. (Airport Commission)

11/26/13; RECEIVED FROM DEPARTMENT.

12/10/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131183 [Emergency Contract - Fixed Gas Monitoring System - Southeast Water Pollution Control Plant - Not to Exceed $225,000]

Resolution approving an emergency procurement contract of the Public Utilities Commission under Administrative Code, Section 21.15, to obtain materials needed to repair the Fixed Gas Monitoring System at the Southeast Water Pollution Control Plant with a contract amount not to exceed $225,000. (Public Utilities Commission)

12/02/13; RECEIVED FROM DEPARTMENT.

12/10/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:45 p.m.

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES - DRAFT

GOVERNMENT
DOCUMENTS DEPT

DEC 23 2013

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PUBLIC LIBRARY

Tuesday, December 17, 2013 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Budget and Finance Committee Supervisors Farrell, Mar, Avalos	Wednesday 10:30 AM
City and School District Select Committee Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Wynns	4th Thursday 3:30 PM
Government Audit and Oversight Committee Supervisors Cohen, Tang, Campos	2nd and 4th Thursday 10:00 AM
Land Use and Economic Development Committee Supervisors Wiener, Kim, Chiu	Monday 1:30 PM
Neighborhood Services and Safety Committee Supervisors Campos, Mar, Yee	1st and 3rd Thursday 10:00 AM
Rules Committee Supervisors Yee, Breed, Cohen	1st and 3rd Thursday 1:30 PM

Members Present: John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:07 p.m. On the call of the roll, Supervisors Campos and Cohen were noted absent. There was a quorum.

AGENDA CHANGES

There were none.

Supervisor Campos was noted present at 2:09 p.m.

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

Supervisor Cohen was noted present at 2:19 p.m.

131188 [Formal Policy Discussions - December 17, 2013]

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 8 and 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. The Golden Gate National Recreation Area (GGNRA) - including Fort Funston, Crissy Field, Ocean Beach, and other properties - is a critical resource for San Franciscans and others for various recreational activities. GGNRA isn't a traditional national park but rather an urban recreation area. One long-time, established recreational use of GGNRA properties is dog walking. Thousands of San Franciscans have long walked their dogs on these federal properties. The National Park Service is proposing significant restrictions on dog access at GGNRA. These restrictions would severely limit San Franciscans' ability to utilize GGNRA with their dogs and would result in a shift of many dogs to our city parks, causing over-crowding. The Board of Supervisors unanimously passed a resolution I authored to oppose the proposal. Congresswoman Jackie Speier has also expressed opposition to the proposal. Congresswoman Nancy Pelosi recently encouraged the National Park Service to extend the time period for public comment and to take into account the significant dog uses at GGNRA. Do you agree that the GGNRA plan goes too far in restricting dog access? Will you work with the Board of Supervisors and our Federal representatives to encourage the National Park Service to alter the plan to take into account the needs of dog owners and walkers to use these properties? (Supervisor Wiener, District 8)

2. Mr. Mayor - Many of us on the Board of Supervisors, myself included, have been working on legislation and with departments to increase access job opportunities for residents in our City. While there are some large employers who are well integrated into our City's workforce development system, I think we can be doing more to reach a broader range of private employers who can accept residents that have completed any one of our City's job development programs. You recently launched a mobile application called text2wrk. Can you describe how this application is going to fit into our City's overall workforce development strategy and what the outreach plan is for ensuring that residents can use this tool? (Supervisor Cohen, District 10)

Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.

HEARD AND FILED

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

131123 [Appropriation - Transit Center District Funds and Transportation Development Impact Fees - FY2013-2014 - $4,388,000]

Sponsor: Mayor

Ordinance appropriating $4,388,000 of Transit Center District Funds and Transportation Development Impact fees revenue and capital project fund expenditures to the Municipal Transportation Agency in order to support capital projects in FY2013-2014.
(Fiscal Impact)

FINALLY PASSED

Recommendations of the Land Use and Economic Development Committee

130998 [Planning Code - Cottage Food Operation Controls]

Sponsor: Chiu

Ordinance amending the Planning Code, by adding Section 102.37 and amending Section 204.1, to allow Cottage Food Operation as an accessory use for dwelling units and increase the allowable area for accessory uses in dwelling units; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED

131000 [Street Acceptance for Lee Avenue (North of Ocean); Approval of a Sidewalk Easement for Brighton Avenue (North of Ocean)]

Sponsor: Yee

Ordinance accepting an irrevocable offer for a public sidewalk easement on the Brighton Avenue Extension north of Ocean Avenue and accepting an easement for these purposes; accepting an irrevocable offer for improvements and real property related to Lee Avenue north of Ocean Avenue and accepting a grant deed for these purposes; authorizing the conditional acceptance of an irrevocable offer for sidewalk improvements for Ocean Avenue east of Lee Avenue; declaring such areas to be open public right-of-way and dedicating them for right-of-way and roadway purposes; accepting maintenance and liability for these areas subject to certain limitations; establishing public right-of-way width and sidewalk width for the Lee Avenue and the Ocean Avenue sidewalks; approving an interdepartmental transfer of property for a portion of Lee Avenue and for a sidewalk area fronting a portion of Ocean Avenue; approving and making findings, including environmental findings and general plan and priority policy findings; and authorizing official acts in connection with this Ordinance.

FINALLY PASSED

Recommendation of the Neighborhood Services and Safety Committee

131032 [Police Code - Litter Enforcement]
Sponsor: Cohen
Ordinance amending the Police Code to update the list of City job classifications responsible for enforcement of litter laws and having the power to issue citations for that purpose.

FINALLY PASSED

Recommendations of the Rules Committee

130695 [Settlement of Lawsuit - Larry Jacobs - $175,000]
Ordinance authorizing settlement of the lawsuit filed by Larry Jacobs against the City and County of San Francisco for $175,000; the lawsuit was filed on January 27, 2011, in the California Superior Court, San Francisco Branch, Case No. CGC-11-507691, entitled Larry Jacobs v. City and County of San Francisco. (City Attorney's Office)

FINALLY PASSED

130787 [Administrative Code - Timelines and Procedures for Releasing Open Data]
Sponsors: Farrell; Chiu, Campos and Cohen
Ordinance amending the Administrative Code to modify open data standards and set deadlines for releasing open data.

FINALLY PASSED

131058 [Tax Collector Attorney - File Suit Against Responsible Relatives to Recover Value of Services Rendered at Hospital Facilities]
Resolution authorizing the Tax Collector Attorney to file suit against responsible relatives to recover value of services rendered at hospital facilities operated by the Department of Public Health. (Treasurer-Tax Collector)

ADOPTED

131078 [Settlement of Lawsuit - Yekaterina Gayza - $50,000]
Ordinance authorizing settlement of the lawsuit filed by Yekaterina Gayza against the City and County of San Francisco for $50,000; the lawsuit was filed on July 27, 2012, in San Francisco Superior Court, Case No. CGC 12-522744; entitled Yekaterina Gayza v. City and County of San Francisco, et al.; other material terms of said settlement are that the City and County of San Francisco will satisfy any lien asserted by Healthy San Francisco for treatment related to Yekaterina Gayza's injury from her fall that provided the basis for San Francisco Superior Court, Case No. CGC 12-522744; entitled Yekaterina Gayza v. City and County of San Francisco, et al. (City Attorney's Office)

FINALLY PASSED

131101 [Appointment, Commission on the Aging Advisory Council - Diane Lawrence]

Motion appointing Diane Lawrence, term ending March 31, 2014, to the Commission on the Aging Advisory Council. (Clerk of the Board)

Motion No. M13-169

APPROVED

131107 [Appointments, In-Home Supportive Services Public Authority - Patricia Wooley and Judith Karshmer]

Motion appointing Patricia Wooley and Judith Karshmer, terms ending March 1, 2016, to the In-Home Supportive Services Public Authority. (Clerk of the Board)

Motion No. M13-170

APPROVED

131165 [Appointments, Immigrant Rights Commission - Kathleen Coll, Mario Paz, Celine Kennelly, Felix Fuentes, Melba Maldonado, and T. Toye Moses]

Motion appointing Kathleen Coll, Mario Paz, Celine Kennelly, Felix Fuentes, Melba Maldonado, and T. Toye Moses, terms ending June 6, 2015, to the Immigrant Rights Commission, residency requirement waived. (Clerk of the Board)

Motion No. M13-171

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

REGULAR AGENDA

UNFINISHED BUSINESS

Referred Without Recommendation from the Land Use and Economic Development Committee

130041 [Planning Code - Conversion, Demolition, Merger, and Conformity of Residential Uses]

Sponsors: Avalos; Campos

Ordinance amending the Planning Code to revise the criteria for residential demolition, merger and conversion, and to standardize those definitions across use districts and prohibit residential mergers where certain evictions of tenants have occurred; establish a strong presumption in favor of preserving dwelling units in enforcement of code requirements; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130783 [Planning Code - Nonconforming Uses: Enlargement, Alteration or Reconstruction]

Sponsors: Avalos; Campos

Ordinance amending the Planning Code to permit the enlargement, alteration or reconstruction of a dwelling or other housing structure that exceeds the permitted density of the district if dwelling units are principally permitted in the district and the enlargement, alteration or reconstruction does not extend beyond the building envelope as it existed on January 1, 2013, and if no tenants were evicted under certain provisions of the Rent Ordinance; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

FINALLY PASSED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

NEW BUSINESS

Recommendations of the Budget and Finance Committee

131140 [Appropriation - Recreation and Park Department's Capital Improvements - FY2013-2014 - $9,191,670]

Sponsor: Mayor

Ordinance appropriating $9,191,670 including de-appropriating $2,338,558 of 2000 Recreation and Park Facilities Improvement Bond capital projects; appropriating $36,401 of 2000 Recreation and Park Facilities Improvement Bond proceeds; de-appropriating $3,000,000 of 2008 Clean and Safe Neighborhood Parks Bond Capital projects; and appropriating $3,816,711 of 2008 Clean and Safe Neighborhood Parks Bond Proceeds Interest Earnings to Recreation and Park and Neighborhood Park Contingency Funds to fund capital projects within 2000 Recreation and Park Facilities Improvement Bond and 2008 Clean and Safe Neighborhood Parks Bond approved projects and program parameters.
(Fiscal Impact)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131054 [Airport Professional Services Agreement - Elevator Maintenance Services - Not to Exceed $11,000,000]

Resolution approving award of Professional Services Agreement for Airport Contract No. 9312 - Elevator Maintenance Service to provide for maintenance, repair, testing, and on-call emergency services for approximately 170 elevators at San Francisco International Airport, between ThyssenKrupp Elevator Corporation and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $11,000,000 pursuant to Charter, Section 9.118(b), for the period of January 1, 2014, through December 31, 2018. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131055 [Airport Professional Services Agreement - Escalator and Electric Walk Maintenance Services - Not to Exceed $17,000,000]

Resolution approving award of Professional Services Agreement for Airport Contract No. 9313 - Escalator and Electric Walk Maintenance Service to provide for maintenance, repair, testing, and on-call emergency services for approximately 133 escalators and 43 electric walks at San Francisco International Airport, between ThyssenKrupp Elevator Corporation and the City and County of San Francisco, acting by and through its Airport Commission, in an amount not to exceed $17,000,000 pursuant to Charter, Section 9.118(b), for the period of January 1, 2014, through December 31, 2018. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131067 [Accept and Expend Grant - Defibrillator and Training - $1,771,421]

Sponsor: Farrell

Resolution retroactively authorizing the Fire Department to accept and expend a grant in the amount of $1,771,421 from the Federal Emergency Management Agency to upgrade and replace its Defibrillator inventory for the period of March 8, 2013, through March 7, 2014, and conduct regional training for the period of May 1, 2013, through April 30, 2014.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131080 [Prevailing Wage Rates - Various Workers Performing Work Under City Contracts]

Resolution fixing prevailing wage rates for workers performing work under City contracts for public work and improvement; workers performing work under City contracts for janitorial services; workers performing work in public off-street parking lots, garages, or storage facilities for automobiles on property owned or leased by the City; workers engaged in theatrical or technical services for shows on property owned by the City; workers engaged in the hauling of solid waste generated by the City in the course of City operations, pursuant to a contract with the City; and workers performing moving services under City contracts at facilities owned or leased by the City. (Civil Service Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131092 [Lease Termination Agreement - Literacy for Environmental Justice - Lease No. L-13816 - EcoCenter]

Sponsor: Cohen

Resolution authorizing the Mutual Termination Agreement between the Port and Literacy for Environmental Justice for Lease No. L-13816, for the EcoCenter at Heron's Head Park, located at Jennings and Cargo Way, pending Board approval.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131098 [Lease - Airport Amenities and Business Services - $1,260,000]

Resolution approving the Airport Amenities and Business Services Lease, between Airport Travel Agency, Inc., and the City and County of San Francisco, acting by and through its Airport Commission, for a seven year term with a minimum annual guarantee of $180,000 and a total minimum amount of $1,260,000 to commence following Board approval, over the entire term. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131126 [Transfer of Real Property - McAllister Street and Ash Alley - $4,584,000]

Sponsors: Mayor; Breed and Kim

Resolution approving the jurisdictional transfer of real property comprised of portions of Block No. 0785, Lot Nos. 030 and 033, in the City and County of San Francisco, from the Real Estate Division to the Mayor's Office of Housing and Community Development for $4,584,000 to commence following Board approval.
(Fiscal Impact)

Supervisor Kim requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Neighborhood Services and Safety Committee

131001 [Health Care Services Master Plan]

Sponsors: Campos; Farrell

Resolution adopting the Health Care Services Master Plan and commending the Department of Public Health and Planning Department for running a robust data driven process infused with widespread community input to create the plan.

Supervisor Farrell requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131021 [County Refugee Services Annual Plan - Federal FY2012-2013]

Resolution approving the City and County of San Francisco's Refugee Services Annual Plan for Federal FY2012-2013. (Human Services Agency)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131046 [Liquor License - 678 Geary Street]

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Justin Beem and Daniel Brooker for Resolute Drinks, LLC, dba Resolute, located at 678 Geary Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco, in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Recommendations of the Rules Committee

130741 [Appointments, Workforce Investment Community Advisory Committee - Douglas Parrish and Dion Jay Brookter]

Motion appointing Doug Parrish, term ending February 19, 2015, and Dion Jay Brookter, term ending February 19, 2014, residency requirement waived, to the Workforce Investment Community Advisory Committee. (Clerk of the Board)

Motion No. M13-172

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130910 [Appointment, SOMA Community Stabilization Fund Community Advisory Committee - John Elberling]

Motion appointing John Elberling, term ending April 27, 2014, to the SOMA Community Stabilization Fund Community Advisory Committee. (Clerk of the Board)

Motion No. M13-173

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131103 [Appointment, Child Care Planning Advisory Council - Deepa Mehta]

Motion appointing Deepa Mehta, term ending March 19, 2016, to the Child Care Planning and Advisory Council, residency requirement waived. (Clerk of the Board)

Motion No. M13-174

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131166 [Appointment, Public Utilities Revenue Bond Oversight Committee - Marina Pelosi]

Motion appointing Marina Pelosi, term ending January 1, 2016, to the Public Utilities Revenue Bond Oversight Committee. (Clerk of the Board)

Motion No. M13-175

APPROVED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Kim, seconded by Supervisor Avalos, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Supervisor Kim presented a Certificate of Honor to Lolita Kintinar and James Chiansini for Lionel Sandiford, who passed away at the age of 79 on December 5, 2013, in recognition of Mr. Sandiford's accomplishments and continued community support. Supervisors Avalos, Campos, and Cohen shared in the recognition.

Supervisor Breed introduced, welcomed, and presented a Certificate of Honor to the Galileo High School Football Team in recognition of their winning the 90th Annual Turkey Bowl Game, their accomplishments, and continued community support. Supervisor Yee shared in the recognition.

COMMITTEE REPORTS

Supervisor Yee was noted absent at 2:50 p.m., and present at 2:56 p.m.

Supervisor Breed was noted absent at 2:50 p.m., and present at 3:01 p.m.

Recommendations of the Budget and Finance Committee

130463 [Mills Act Historical Property Contract - 1772 Vallejo Street (Burr Mansion)]
Sponsor: Farrell
Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between John Moran the owner of 1772 Vallejo Street (Burr Mansion), and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract. (Planning Department)

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 2 - Breed, Yee

130479 [Mills Act Historical Property Contract - 2550 Webster Street]
Sponsor: Farrell
Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Pacific Heights, LLC, the owners of 2550 Webster Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 2 - Breed, Yee

130506 [Mills Act Historical Property Contract - 1019 Market Street]
Sponsor: Kim
Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between 1019 Market St. Properties, LLC, the owners of 1019 Market Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 2 - Breed, Yee

130521 [Mills Act Historical Property Contract - 3769-20th Street]

Sponsor: Wiener

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Brian Jackson and Thomas Ranese, the owners of 3769-20th Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 2 - Breed, Yee

130522 [Mills Act Historical Property Contract - 50 Carmelita Street]

Sponsor: Wiener

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Adam Spiegel and Guillemette Broulliat-Spiegel, the owners of 50 Carmelita Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 2 - Breed, Yee

130577 [Mills Act Historical Property Contract - 66 Carmelita Street]

Sponsor: Wiener

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Amy Hockman and Brian Bone, the owners of 66 Carmelita Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 2 - Breed, Yee

130640 [Mills Act Historical Property Contract - 70 Carmelita Street]

Sponsor: Wiener

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Elise Sommerville, the owner of 70 Carmelita Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

This item was not sent as a Committee Report.

131157 [Mills Act Historical Property Contract - 56 Pierce Street]

Sponsor: Wiener

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Adam Wilson and Quyen Nguyen, the owners of 56 Pierce Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 2 - Breed, Yee

131158 [Mills Act Historical Property Contract - 64 Pierce Street]

Sponsor: Wiener

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Jean Paul and Ann Balajadia, the owners of 64 Pierce Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 2 - Breed, Yee

131159 [Mills Act Historical Property Contract - 56 Potomac Street]

Sponsor: Wiener

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Karli Sager and Jason Monberg, the owners of 56 Potomac Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 2 - Breed, Yee

131160 [Mills Act Historical Property Contract - 66 Potomac Street]

Sponsor: Wiener

Resolution approving a Mills Act historical property contract, under Administrative Code, Chapter 71, between Adam Wilson and Quyen Nguyen, the owners of 66 Potomac Street, and the City and County of San Francisco; and authorizing the Planning Director and Assessor to execute the Mills Act historical property contract.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener
Absent: 2 - Breed, Yee

Recommendation of the Land Use and Economic Development Committee

131061 [Administrative Code - Hearings on Tenant Allegations of Landlord Harassment to Recover Possession of the Tenant's Unit]

Sponsors: Campos; Avalos, Mar, Chiu, Cohen, Kim and Farrell

Ordinance amending Administrative Code, Chapter 37, "Residential Rent Stabilization and Arbitration Ordinance," by providing for hearings at the Rent Board on tenant allegations of landlord harassment constituting a wrongful endeavor to recover possession of the tenant's unit.

Supervisor Farrell requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131149 [Adding the Name "Donaldina Cameron Alley" to Old Chinatown Lane]
Sponsors: Chiu; Mar
Resolution adding the name "Donaldina Cameron Alley" to Old Chinatown Lane in recognition of Donaldina Cameron and her many contributions to San Francisco.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131150 [Adding the Name "Harold 'Bud' Moose Lane" to Merchant Street]
Sponsor: Chiu
Resolution adding the name "Harold 'Bud' Moose Lane" to Merchant Street in recognition of Bud Moose and his many contributions to San Francisco.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131151 [Adding the Name "Enid Ng Lim Alley" to Bartol Street]
Sponsors: Chiu; Mar
Resolution adding the name "Enid Ng Lim Alley" to Bartol Street in recognition of Enid Ng Lim and her many contributions to San Francisco.

ADOPTED by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131191 [Administrative Code - Clarifying Employer Definition for Family Friendly Workplace]
Sponsor: Chiu
Ordinance amending the Administrative Code to clarify the group of employers required to comply with the Family Friendly Workplace Ordinance.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Gypsy Taub; expressed various concerns and announced her engagement.

The Board recessed at 3:47 p.m., and reconvened at 3:48 p.m.

Peter Warfield; expressed concerns relating to the SF Public Library.
Dale Seymour; expressed concerns relating to banning the box.
Karen Selis; expressed concerns regarding radiation poisoning.
Male Speaker; expressed concerns regarding a possible Charter amendment.
Douglas Yep; expressed various concerns.
John Donald; expressed various concerns.
Jakkee Bryson; expressed concerns regarding vulnerable populations and public housing.

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chiu requested that File No. 131197 be severed so that it may be considered separately.

131197 [Moratorium on Hydraulic Fracturing]

Sponsor: Chiu

Resolution supporting a moratorium on hydraulic fracturing in the State of California.

Supervisor Avalos, seconded by Supervisor Farrell, moved that this Resolution be CONTINUED to January 14, 2014. The motion carried by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

131164 [Concurring in the Continuation of the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]

Motion concurring in the continuation of the "Rim Fire" Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

Motion No. M13-176

APPROVED

131196 [Apply for Grants - Board of State and Community Corrections - Anti Drug Abuse Program]

Sponsor: Mayor

Resolution authorizing the Department of Children Youth and Their Families to apply for grants from the Board of State and Community Corrections for the Anti Drug Abuse Program.

ADOPTED

131198 [Approval of a 90 Day Extension for Planning Commission Review of Zoning Map - 904-22nd Street (File No.130969)]

Sponsor: Cohen

Resolution extending by 90 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130969) amending the Planning Code, Zoning Map, to re-zone the property located at 904-22nd Street (Assessor's Block No. 4106, Lot No. 015) from RH-3 (Residential, Housing, Three Family) to UMU (Urban Mixed Use); and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED

131199 [Approval of a 60 Day Extension for Planning Commission Review of Planning Code - Expanding Formula Retail Controls (File No. 130788)]
Sponsor: Mar
Resolution extending by 60 days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130788) amending the Planning Code to expand the definition of formula retail to include businesses that have eleven or more outlets worldwide, and to include businesses 50% or more owned by formula retail businesses; to expand the applicability of formula retail controls to other types of retail uses; to expand the notification procedures for formula retail applications; to require an economic impact report as part of the formula retail conditional use application; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or the Mayor

Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.

Legislation Introduced will appear on the Final Minutes for this meeting. Once the Legislation Introduced is approved, it will be available on http://www.sfbos.org/legislation_introduced.

Introduced at the Request of a Department

Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.

PROPOSED ORDINANCES

There were none.

PROPOSED RESOLUTIONS

131185 [Avigation Easements - San Mateo County - San Francisco International Airport's Noise Insulation Program]

Resolution approving the acquisition of 33 Avigation Easements from various property owners in San Mateo County to replace expiring Avigation Easements required for the San Francisco International Airport's Noise Insulation Program (the Project); adopting findings that the Project is Categorically Exempt from environmental review under the California Environmental Quality Act (CEQA) Class 1: Existing Facilities; adopting findings that the acquisition is consistent with the General Plan, and eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this Resolution. (Real Estate Department)

12/05/13; RECEIVED FROM DEPARTMENT.

12/17/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

131186 [Annual Update - Mental Health Services Act Program and Expenditure Plans - FY2013-2014]

Resolution authorizing adoption of the FY2013-2014 Annual Update to Mental Health Services Act Program and Expenditure Plans. (Public Health Department)

12/06/13; RECEIVED FROM DEPARTMENT.

12/17/13; RECEIVED AND ASSIGNED to Budget and Finance Committee.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:04 p.m.

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